

VRJ

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO.67 OF 2026

Sachin Vilas Shinde	... Applicant
V/s.	
The State of Maharashtra	... Respondent

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BAIL APPLICATION NO.69 OF 2026

Shubham Sanjay Hegde	... Applicant
V/s.	
The State of Maharashtra	... Respondent

Mr. Ramanik Pawar with P. Nadaf, Dinesh S. and S. Mahanolkar i/by Amit Waykool for the applicants in both applications.

Mr. Chandrakant D. Mali, APP for the State in BA/67/2026.

Mr. Pankaj P. Deokar, APP for the State in BA/69/2026.

Ms. Pallavi Yadav, API, Hatkanangale Police Station, District Kolhapur.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATED : FEBRUARY 4, 2026

P.C.:

1. By the instant bail applications filed under Sections 483 and 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, the applicants are seeking regular bail in connection with Crime Register No.461 of 2024 registered with Hatkanangale Police

Station, District Kolhapur for offences punishable under Sections 103(2), 119(1), 126(2), 189(2), 189(4), 190, 191(1), 191(2), 191(3), 61(2) of the Bharatiya Nyaya Sanhita, 2023.

2. The prosecution case, in brief, is that on the complaint lodged by one Sandeep Kamble, a crime came to be registered. The alleged incident took place on 16th August 2024. At about 2:30 p.m., the complainant and others went to Kumar Vidyamandir, Rui, to meet the applicant in order to resolve a past dispute. Thereafter, at around 9:15 p.m., the applicant along with the other co-accused allegedly assaulted them with sticks, bamboos, stones, iron rods, swords and other sharp weapons.

3. The Applicants claim the benefit of parity on the ground that, out of 24 accused, four have already been released on bail on that ground. In the said offence, the role attributed to the accused is that of instigating the other co-accused to commit the murder. In the present case, the learned counsel for the Applicants points out that only one person has named the present Applicant, namely Shubham Sanjay Hegde, in a statement recorded under Section 164 of the Code of Criminal Procedure, 1973, alleging that the Applicant assaulted the deceased with fists and blows.

4. Learned counsel for the Applicants submits that though the Applicants' names appear in the FIR, only two witnesses, in their statements recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023, have attributed any role to the present Applicant, namely Shubham Sanjay Hegde. It is further submitted that the ground of parity is available to the Applicants and, therefore, they deserve to be released on bail. Learned counsel further points out that the Applicant, Shubham Sanjay Hegde, is only 20 years of age, is pursuing his education, and hails from a poor family background. Though there is one antecedent against him, it is submitted that if the Applicant is kept in the company of hardened criminals for a long period, his future would be seriously jeopardized. So far as Bail Application No. 67 of 2026 is concerned, though there are allegations of assault by the Applicant, Sachin Vilas Shinde, with a wooden stick, the said assault is not attributed to the deceased but to Santosh Kamble and Vijay Jirge. Hence, a prayer is made for the release of the Applicants on bail.

5. Learned APP vehemently opposed the Applications, submitting that the ground of parity is not available to the present

Applicants. It is contended that the Applicants' active roles are specifically mentioned by the witnesses and, in view of antecedents, the benefit of parity cannot be extended to them. Hence, the learned APP prays for rejection of the Applications.

6. I have heard the learned advocate appearing for the applicants and the learned APP.

7. Considering the statements of the witnesses, the role attributed to the present Applicants is that of assault by fists, blows and a wooden stick. Therefore, the ground of parity is not attracted, as the roles are different. However, having regard to the age of the Applicant, Shubham Sanjay Hegde, and the nature of the assault alleged, and further considering that so far as the Applicant, Sachin Vilas Shinde, is concerned, though there are allegations of assault with a wooden stick, the said assault is not attributed to the deceased but to Santosh Kamble and Vijay Jirge, the Applicants are directed to be released on bail, subject to stringent conditions.

8. Hence, following order is passed:

- i) The bail applications are allowed;

ii) The applicants - Sachin Vilas Shinde and Shubham Sanjay Hegde are directed to be released on regular bail in connection with Crime Register No.461 of 2024 registered with Hatkanangale Police Station, District Kolhapur for offences punishable under Sections 103(2), 119(1), 126(2), 189(2), 189(4), 190, 191(1), 191(2), 191(3), 61(2) of the Bharatiya Nyaya Sanhita, 2023, upon furnishing a personal bond of Rs.25,000/- each, with one or more solvent sureties in the like amount, to the satisfaction of the Trial Court, subject to the following conditions:

- a) The applicants shall report the Hatkanangale Police Station, District Kolhapur on first Monday of every month between 10.00 a.m. to 12.00 noon, until further orders.
- b) The applicants shall not tamper with the evidence or attempt to influence any witness.
- c) The applicants shall appear before the Trial Court on every date of hearing unless prevented by sufficient cause.
- e) The applicants shall not indulge in any criminal activity during the pendency of the trial.

- f) The applicants shall not enter the territorial limits of Kolhapur District during the pendency of the trial, except for the purpose of reporting at the concerned police station or attending Court proceedings, as directed.
 - g) Any breach of these conditions shall result in the prosecution moving for cancellation of bail before the Trial Court.
9. The bail applications are allowed and disposed of.

(MRS. VRUSHALI V. JOSHI, J.)