

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.98 OF 2026**

Nandkumar Bali SatheApplicant
Vs.
The State of Maharashtra & Anr.Respondents

Mr. Ramanik Pawar with Mr. Parvej Nadaf, Me. Dinesh Sonarlikar & Mr. Samadhan Mahamulkar, i/b. Mr. Amit Waykool, for the Applicant.

Mr. Pankaj P. Deokar, APP, for the Respondents-State.

Mr. S. A. Kamble, PN/2132, Amol Thakur, IO, DySP, SDOP, Jaysingpur

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATED : 23rd FEBRUARY 2026

PC.:-

1. The Applicant is arrested in Crime Register No.461 of 2024. registered with Hatkanangale Police Station, District Kolhapur for the 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 ('BNS').

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 allegations are made against this Applicant that he was present there when the co-accused were assaulting the deceased. The name of this Applicant is mentioned as he instigated the others to kill the informant. The counsel for Applicant has stated that the accused persons, who were having similar role are already released on bail by this Court. Hence, the ground of parity is available. Hence, prayed to release the Applicant on bail.

4. The learned APP opposed the application stating that the eye witnesses have mentioned the name of this Applicant, his presence was there and he has instigated the other co-accused. Hence, prayed to reject the application.

5. Heard learned counsel appearing for both the parties.

6. The role attributed to the present Applicant is limited to instigation to the other accused to kill the deceased, and there are no

specific allegations of assault against him. It is noted that the co-accused has already been released on bail. Although the charge was framed, no prosecution witness has been examined by the Trial Court in the last four months. Considering that the ground of parity is available to the Applicant, the Application deserves to be allowed.

7. The ground of parity is available to this Applicant. Hence, the Application is allowed on the following terms and conditions :

- i) The applicant - Nandkumar Bali Sathe is directed to be released on regular bail in connection with Crime Registration 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/- with one or more solvent sureties in the like amount, to the satisfaction of the Trial Court, subject to the following conditions
 - a) The applicant 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 Applicant shall not directly or indirectly make any

inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer;

- c) The applicant shall appear before the Trial Court on every date of hearing unless prevented by sufficient cause;
- d) The applicant shall not leave the territorial jurisdiction of the Trial Court without prior permission;
- e) The applicant shall not indulge in any criminal activity during the pendency of the trial.

8. The Bail Application is allowed and disposed of

(MRS. VRUSHALI V. JOSHI, J.)

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