

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLN. NO. 197 OF 2026

GANESH VIKRAM HIRE
VERSUS
STATE OF MAHARASHTRA AND ANR

...
Advocate for Applicant : Mr. Prashant Edake
Advocate for Respondents-State : Mr. Nitin B. Patil

...
WITH
CRIMINAL BAIL APPLN. NO. 182 OF 2026

AKSHAY BASVESHWAR HIRE
VERSUS
STATE OF MAHARASHTRA AND ANR

...
Advocate for Petitioner : Mr. Prashant Edake
Advocate for Respondents-State : Mr. P. P. Deokar

...
WITH
CRI-INTERIM APPLICATION (STAMP) NO. 1081 OF 2026
IN
CRIMINAL BAIL APPLN. NO. 197 OF 2026

MANIK NAGNATH PATIL
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant - Ori. Informant : Mr. Onkar Waghule

...
CORAM : SACHIN S. DESHMUKH, J.

Date : 27th March, 2026

ORDER :-

1. The applicants have approached this Court seeking regular bail in connection with FIR dated 21.10.2025 bearing Crime

No. 318 of 2025 registered with Barshi Taluka Police Station, Dist. Solapur for the offences punishable under Sections 109(1), 118(1), 115(2), 352, 351(3), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. The case of the prosecution is that the informant Manik Nagnath Patil lodged a complaint at Barshi Taluka Police Station alleging that the dispute began when Manik confronted a tractor driver Ganesh Hire for not reporting to his field, leading to a heated exchange with Ganesh's brother Prashant. During this initial altercation, Prashant allegedly struck Manik with a brick while both brothers physically assaulted him before he fled home. Seeking an explanation for the attack, Manik and his family later went to the accused individuals' residence. Ganesh, Akshay and Manmath Hire confronted them while armed with an axe and an iron pipe. Akshay allegedly incited the others to kill the victims, referencing past grievances from his time as Sarpanch.

3. In the ensuing violence, Ganesh struck Manik's shoulder with an axe, while Manmath restrained Manik's brother, Amol, allowing Prashant and Akshay to deliver multiple axe blows to Amol's head. The assault continued as Ganesh struck Manik's head with an iron pipe and Akshay attempted to hit the now-unconscious Amol with a stone. Both Manik and Amol sustained

severe bleeding injuries and lost consciousness during the attack. The violence only ceased when parents and villagers intervened, eventually summoning an ambulance to transport the victims to the hospital. Once Manik regained consciousness, he approached the authorities to formalize the charges.

4. The learned counsel for the applicants submits that the applicants have been falsely implicated in the offense. The incident was not a pre-planned attack but a spontaneous confrontation triggered by the informant and his family coming to the accused's residence to question. The initial dispute began over a trivial matter, a tractor driver not reporting to complete work, indicating no prior motive for a murderous assault. The learned counsel also submits that a co-accused in this crime has already been enlarged on bail. Hence, it is prayed that the application be allowed.

5. The learned APP and the learned counsel for informant opposed the application, submitting that the offense is serious in nature and that there is sufficient material on record to establish the applicant's complicity. There is a premeditated common intention to commit murder. The accused did not merely react; they armed themselves with deadly weapons and waited for the

victims at their residence. Furthermore, if the applicant is released on bail, there is every possibility of the prosecution evidence being tampered with. Accordingly, it was prayed that the application be rejected.

6. Upon considering the submissions of both sides and perusing the material on record, including the charge-sheet, the genesis of the incident prima facie appears to be a spontaneous dispute over a trivial matter, the failure of a tractor driver to report to a field. The confrontation at the house of the accused occurred only when the informant and his family went there to question them. This prima facie indicates that the incident was a sudden fight in the heat of passion, rather than a premeditated conspiracy.

7. While the FIR alleges the use of an axe from but end and an iron pipe, the medical gravity of the injuries must be weighed against the allegations. The informant sustained an injury to the shoulder despite an alleged axe blow to the head, indicating a possible exaggeration of the force used. Furthermore, the role attributed to Akshay Hire is primarily one of verbal incitement.

8. Nevertheless, the investigation is complete for all intent

and purpose and the charge-sheet is filed. Having regard to the number of witnesses which the prosecution proposes to examine, it is very unlikely that the trial can be commenced and concluded within a reasonable period. The arrest of the applicants has been effected on 22.10.2025 and since then, they are in jail.

9. As such, further detention of the applicants as an under trial prisoner, in the circumstances of the case, does not seem to be either warranted or justifiable. I am, therefore, persuaded to exercise the discretion in favour of the applicants. The apprehension expressed by the learned APP and learned counsel for informant about tampering with the prosecution evidence can be adequately taken care of by imposing certain stringent conditions.

10. Hence, the following order:

ORDER

(I) Bail Applications are **allowed**.

(II) Applicants – Ganesh Vikram Hire and Akshay Basveshwar Hire be released on regular bail on furnishing P.R. bond of Rs. 50,000/- (Fifty Thousand Only) **each** with one or two local solvent sureties in the like amount, in Crime No. 318 of 2025 registered

with Barshi Taluka Police Station, Dist. Solapur for the offences punishable under Sections 109(1), 118(1), 115(2), 352, 351(3), 3(5) of the Bharatiya Nyaya Sanhita, 2023, on the following conditions :-

- (a) The applicants shall attend each and every date of the Trial Court unless exempted by the Trial Court.
 - (b) The applicants shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
 - (c) The applicants shall submit his Aadhar and Pan Card to the Investigation Officer and detailed addresses and phone numbers of applicant and two of the near relatives.
 - (d) Breach of any of the conditions by the applicants would entail the cancellation of the bail.
- (iii) Needless to states that the observations rendered herein are to the extent of this application and the trial court shall not be influenced by the same.
- (iv) Resultantly, pending criminal applications,if any, also stand disposed of.

(SACHIN S. DESHMUKH, J.)