

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

CRIMINAL BAIL APPLN. NO. 191 OF 2026

Prajval Alias Gajya Prakash Naydu
VERSUS
The State Of Maharashtra And Another

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Mr. Vikram Patil a/w Mr. Suryajeet P. Chavan, Advocate for Applicant
Mr. Anand S. Shalgaonkar APP for the Respondent-State.

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CORAM : SACHIN S. DESHMUKH, J.
DATE : 18th MARCH 2026.

P.C.

1. By this application, applicant is seeking regular bail in C.R. No. 38/2025 registered with Miraj City Police Station, District Sangli for offences punishable under Sections 103(1), 109(1) and 3(5) of the Bhartiya Nyaya Sanhita, 2023.

2. As per the prosecution case, co-accused No. 1 suspected that deceased had informed the police about reporting certain matters. On 23.02.2025 between approximately 8 PM and 8:30 PM, while the informant, deceased and witness Akash were returning home, they were confronted by accused No. 1, who was accompanied by co-accused No. 2 and present applicant. An exchange of words took place which resulted into quarrel. During this quarrel accused No. 1

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stabbed deceased on the shoulder, chest and abdomen with a knife. At the same time, the applicant assaulted the deceased by stabbing him in the chest with awl. Even after the deceased collapsed, accused No. 1 assaulted the deceased with stone on his chest and killed him. Accused No. 2 with the intention of causing informant's death, attacked him on his head and hand with sickle. Resultantly, deceased succumbed to the injuries during the course of treatment.

3. Learned counsel for the applicant submits that the applicant is falsely implicated in the present case as there are no specific allegations against the applicant. There is material inconsistency with regard to the role assigned *vis-a-vis* presence of the applicant. Applicant has no criminal antecedents. Investigation is complete and charge-sheet is filed. As such, in view of the material inconsistency, further incarceration of the applicant is unjustified.

4. *Per contra*, learned APP opposed the application submitting that the informant has assigned a specific role to the present applicant. His complicity in a serious offence is evident. The weapon allegedly used by the applicant is also recovered. As such, the applicant does not deserve to be admitted to the bail.

5. Upon considering the submissions of learned counsel for the applicant, the learned APP, and upon perusal of the material on record, including the charge-sheet, it prima facie appears that there

are material inconsistencies regarding the role attributed to the present applicant so also in relation to the presence of the applicant on the spot.

6. Moreover, there is a considerable delay in lodging the F.I.R. As noted above, the material inconsistencies concerning the role of the applicant warrants exercise of discretion in favour of the applicant. Considering his young age, continued incarceration alongwith hardened criminals would be unjustified.

7. Nevertheless, the investigation is complete for all intent and purpose and the charge-sheet is filed to that effect. Having regard to the number of witnesses which the prosecution seeks to examine, the trial is unlikely to conclude within a reasonable period.

8. Hence, following order:

ORDER

- I. The bail application is allowed.
- II. Applicant, Prajval Alias Gajya Prakash Naydu be released on bail, on furnishing P.R. bond in the sum of Rs.50,000/- (Rs.Fifty Thousand) with one or two local solvent sureties, in the like amount, in connection with C.R. No. 38/2025 registered with Miraj City Police Station, District Sangli for offences punishable under Sections 103(1), 109(1) and 3(5) of the Bhartiya Nyaya Sanhita, 2023, on the following conditions :-

- (a) The applicant shall not pressurize the prosecution witnesses and tamper with the prosecution evidence, in any manner.
- (b) The applicant shall attend the trial on each and every date unless exempted by the trial Court.
- (c) The applicant shall submit Aadhar and Pan Cards to the Investigating Officer and detailed address and phone numbers and two of the near relatives.
- (d) In case of breach of any of the conditions by the applicant, it is open for the Prosecution to move the concerned Court seeking cancellation of bail.

9. Needless to state that the observations rendered herein are to the extent of this application and the trial Court shall not be influenced by the same.

(SACHIN S. DESHMUKH, J.)