

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

CRIMINAL BAIL APPLICATION NO. 279 OF 2026

AJINKYA SIDRAM SHAHABADE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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WITH
CRIMINAL BAIL APPLICATION NO. 280 OF 2026

MANOJ @ BHAIJI BIBHISHAN SURERAO
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...

WITH
CRIMINAL BAIL APPLICATION NO. 281 OF 2026

KEDAR NITIN GUMATE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicants : Mr. Ritesh M. Thobde, Mr. Changdev
Shingade, Ms. Divyashree Dhumal and Mr. Jaydeep Mane
Advocate for Respondents : Mr. Nitin B. Patil, Mr. P. P. Deokar
and Dr. Ms. A. A. Taklikar

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CORAM : SACHIN S. DESHMUKH, J.

DATE : 22-04-2026

PER COURT:-

1. The applicants seek regular bail in connection with Crime No.447 of 2024 dated 05.10.2024 registered with Vijapur Naka Solapur (City) Police Station, District Solapur, for the offences punishable under Sections 103(1), 189(2), 189(4), 191(1), 191(2), 191(3), 190, 324(3)(4), 352, 351(2)(3) and 61(2) of the

Bhartiya Nyaya Sanhita, 2023 and Sections 4 and 25 of the Arms Act and Section 135 of the Maharashtra Police Act, 1951. In the said crime, applicants/accused Ajinkya, Manor @ Bhaiji and Keedar were arrested on 12.10.2024, 28.10.2024 and 10.10.2024, respectively. Upon completion of the investigation, the chargesheet is filed on 31.12.2024.

2. On 04.10.2024 in between 8.00 p.m. and 8.30 p.m. the neighbour of the informant came to the house and informed that the informant's son had met with an accident and admitted to Care Hospital at Solapur. Subsequently, the informant rushed at hospital where the deceased informed that the applicant and the co-accused assaulted and beaten the deceased by sticks, iron rods and sickle, while he was standing in the open ground.

3. Learned counsel for the applicants submit that the deceased was hospitalized with the history of road traffic accident, wherein sustained injuries in the road accident. The report is aimed to implicate the applicants and afterthought. There are no eyewitness to the incident occurred. The evidence is hearsay. The entire evidence is speculative against the applicants only to implicate in the crime. The applicants are arrested on suspicion. Hence, prayed to allow the application.

4. Learned A.P.P. has opposed the application and submitted that the offences are serious in nature. The complicity of the applicants with the co-accused is apparent. The applicants with co-accused have brutally killed the deceased. If the applicants are enlarged on bail, there is every possibility of tampering with the prosecution evidence. There are eyewitnesses supporting to the prosecution case, which disentitle the applicants to be admitted to bail. Hence, prayed to reject the application.

5. Upon considering the submissions of the litigating sides and perusing the material on record, including the chargesheet, it is evident that the alleged incident occurred on 04.10.2024, whereas the F.I.R. was registered on 05.10.2024 and the chargesheet is filed on 31.12.2024. *Prima facie*, the evidence indicates that the case is of accident, in the wake of history narrated while admitting deceased in the hospital and the unexplained delay in lodging the report and eventual statements, there is a possibility of false implication.

6. Furthermore, the co-accused Audumbar @ Balu Prakash Kale and co-accused Shrinivas @ Matya Ramesh Mane are admitted to bail by this Court, in Criminal Bail Application No.1231 of 2025 dated 11.03.2025 and in Criminal Bail Application No.3411 of 2025 dated 26.03.2026, respectively. Thus, the applicants are also

entitled for bail on parity.

7. Nevertheless, the investigation is complete for all intent and purpose, resultantly, the chargesheet is filed. Having regard to the number of the witnesses which the prosecution proposes to examine, it is very unlikely that the trial can be commenced and concluded within a reasonable period. The applicants are in custody since October 2024. As such, further incarceration of the applicants, 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.

8. The apprehension expressed by the learned APP about tampering with the prosecution evidence can be adequately taken care of by imposing stringent conditions.

9. Hence, the following order:-

ORDER

(i) The bail applications are allowed.

(ii) Applicant, Ajinkya Sidram Shahabade, Manoj @ Bhaiji Bibhishan Surerao and Kedar Nitin Gumathe, be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rs.Fifty Thousand) each, with one solvent surety of the like amount

in Crime No.447 of 2024 dated 05.10.2024 registered with Vijapur Naka Solapur (City) Police Station, District Solapur, for the offences punishable under Sections 103(1), 189(2), 189(4), 191(1), 191(2), 191(3), 190, 324(3)(4), 352, 351(2)(3) and 61(2) of the *Bhartiya Nyaya Sanhita, 2023* and Sections 4 and 25 of the Arms Act and Section 135 of the Maharashtra Police Act, 1951, on the conditions that;

- (a) The applicants shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
 - (b) The applicants shall attend the trial on each and every date unless exempted by the trial Court.
 - (c) The applicants shall submit their Aadhar and Pan Cards to the Investigation Officer and detailed addresses and phone numbers of applicants and two of the near relatives.
 - (d) In case of breach of any of the conditions by the applicants, it is open for the Prosecution to move the concerned Court seeking cancellation of bail.
- (iii) Needless to state that the observations rendered herein are to the extent of these applications and the trial court shall not be influenced by the same.

[SACHIN S. DESHMUKH]
JUDGE