

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION NO. 172 OF 2026

Mangalsingh Solanke

..vs..

State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri S.V Sirpurkar, Advocate for the applicant.
Ms T.H. Udeshi, APP for the State.

CORAM: M.M. NERLIKAR, J.

DATE : 26.03.2026.

Heard.

2. By way of this application, the applicants are seeking bail in connection with Crime No.292 of 2025 registered with the Tamgaon Police Station, District Buldhana for the offence punishable under Sections 189(2), 189(4), 191(2), 191(3), 190, 103(1), 118(1), 333, 251(3), 61(2), 49, 118(2), 324(6) of the Bharatiya Nyaya Sanhita (BNS), 2023 and Section 135 of the Maharashtra Police Act.

3. The informant has lodged the report alleging that on 28.08.2025 the applicants' party have assaulted the informant and others with the help of iron rods and sharp weapon like knife as there was old dispute between them, wherein brother of the informant Rushikesh lost his life.

4. Learned Counsel for the applicants submits that initially on 27.08.2025 the applicant's party have assaulted one Santosh and his family and on the second day i.e. on 28.08.2025, again applicants' party went to

the house of the informant, quarreled and assaulted the members of the informant's side and therefore, the FIR came to be lodged. The contents of the FIR demonstrates that no role is attributed to the present applicants regarding the assault made to the deceased Rushikesh. It is alleged that the applicant's party were insisting for withdrawal of the criminal case registered by the informant's party against Sopan Solanke for outraging modesty of members of the informant's party. So far as the applicant no.1's role is concerned he has given blow to Vaibhav with the help of rear part of iron spear and applicant no.2 has given blow on the left shoulder of the Prajwal with the help of iron rod. The injury certificates show that they are simple injuries. In the entire charge-sheet, the applicants name have not been mentioned. It is also submitted that the Police Authorities were reluctant to register the FIR, therefore, they were required to run from pillar to post for registration of the offence. Therefore applicants prayed to be enlarged on bail as the investigation is over and charge-sheet is filed.

5. On the other hand, learned APP appearing for the State and learned Counsel appearing to assist the prosecution vehemently opposed the application on the ground that the applicant's party formed an unlawful assembly with a common object and went to the house of the informant along with weapons and assaulted the informant and other persons. There were 12 accused persons who were named in the FIR and specific role were also attributed to them. So far as the role of the present applicants are concerned, their role cannot be bifurcated for grant of bail. The applicant's party have

trespassed and went to the house of the informant and it is not a case that incident had occurred in the spur of moment and that it is free fight between both the groups. There is serious allegation of murder and applicants have played active role in the entire episode and therefore, prayed to reject the application of the applicants.

6. I have considered the rival submissions and perused the record. It appears that there was an unlawful assembly formed by the applicants' party with a common object and went to the informant's house along with sharp weapons. There was an old dispute between both the group. At the time of incident there were 12 accused persons who assaulted the informant and other persons, in which one person namely Rushikesh Mohe has died. However, in the entire episode no specific role is attributed to the present applicants regarding assault to the deceased. The applicants assaulted Vaibhav and Prajwal, of which injury certificate have been produced on record showing there were injuries of simple nature. Considering the role played by the applicants and as the investigation is complete and charge-sheet is filed, I am inclined to grant the bail on certain terms and conditions. Hence, the following order :

- (a) The application is allowed.
- (b) The applicant no.1 Mangalsingh Solanke and applicant no.2 Akash Mangalsingh Solanke in connection with Crime No.292 of 2025 registered with the Tamgaon Police Station, District Buldhana be released on bail on furnishing P.R. bond of Rs.50,000/- each with

one surety in the like amount.

- (c) The applicants shall not enter into the vicinity of village Niwana, Tq. Sangrampur, District Buldhana.
 - (d) The applicants shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also shall not tamper with the evidence.
 - (e) The applicants shall provide their residential address and cell number to Police Station concerned and shall not change their place of residence without prior intimation to the Investigating Agency.
 - (f) The applicants shall not commit any similar type of offence.
 - (g) The applicants shall attend each and every date of trial regularly. If they fails to attend the trial for two consecutive dates, or fails to comply with the aforesaid conditions, their default would entail the State to ask for cancellation of bail.
7. The observations are *prima facie* in nature and the Trial Court shall not be influenced by the same .
8. All Misc. application(s), pending if any, shall stands disposed of accordingly.

(M.M. NERLIKAR, J.)