

MHKO080000752026



Order Below Exh. 1 In

Cri.Bail.Appln.No.12/2026

Subhash Mahadev Kate

Vs.

State of Maharashtra

01. The present regular bail application is moved by the applicants Subhash Mahadeo Kate, Mangal Subhash Kate and Siddharth Subhash Kate, in connection with Crime No.12 of 2026, registered with Ajara, Police Station for the offence punishable under sections 74, 352, 115(2), 3(5) of the Bhartiya Nyay Sanhita (B.N.S.) and Section 6 and with Section 3(1)r, 3(1)(s), 3(2)(va), 3(1)(W)(ii) of Schedule Caste and Schedule Tribe Act, 1989. Accused came to be arrested in connection with present crime on 22.01.2026. Since, then they are in jail. Therefore, the present bail application is moved on the ground that they are local resident, they are law abider person and they will abide by the terms and conditions which will imposed upon them. Hence, bail application.

02. On the other hand, the state has opposed the bail application by filing say and report and submitted that, he offence is against woman and under the provisions of 3(1)r, 3(1)(s), 3(2)(va), 3(1)(W)(ii) of Schedule Caste and Schedule Tribe Act, 1989 and therefore submitted to reject the bail application. The first informant has filed her affidavit and opposed the bail application. She along with her relative present in the Court and narrated the incident. The first informant disclosed that, on 18.01.2018 her husband was found in the house of applicant/accused No.1 at about 10.15p.m. and he was consuming liquor. The accused are running illegal liquor business at their house. She requested the accused No.1 not to provide liquor to her husband. However, accused abused and assaulted her. The accused Siddharth torn gown and thus she reported matter with

the police station on 21.01.2026.

03. Considering the fact that, the alleged incident took place on 19.01.2026 at about 10.15p.m. and the offence is registered on 21.01.2026. Therefore, the Ld. Counsel D.T. Madyalkar submitted that, there is unexplained delay in lodging F.I.R. and accused are falsely implicated due to local politics and submitted to allow the application.

04. The applicant accused No.1 is 62 years old and accused No.2 is 55 years old and accused No.3 is their son. They are from Mumewadi, Tal. Ajara, Dist. Kolhapur. The Ld. counsel Madyalkar submitted that, there are no previous antecedents and submitted to impose the conditions. Thus considering the submissions made by Ld. Counsel Shri. Madyalkar I am inclined to allow the bail application considering above facts and situations with certain conditions. Hence, following order :-

ORDER

- 1) The application is allowed.
- 2) The applicants Subhash Mahadeo Kate, Mangal Subhash Kate and Siddharth Subhash Kate shall be released on bail in connection with Crime No.12 of 2026, registered with Ajara, Police Station for the offence punishable under sections 74, 352, 115(2), 3(5) of the Bhartiya Nyay Sanhita (B.N.S.) and Section 6 and with Section 3(1)r, 3(1)(s), 3(2)(va), 3(1)(W) (ii) of Schedule Caste and Schedule Tribe Act, 1989, on execution of P.B. and S.B. of Rs.50,000/- (Fifty Thousand only) each.

- 3) They shall not tamper with the prosecution evidence.
- 4) The accused shall not enter in Ajara Taluka till 31/03/2026 or till filing of charge-sheet which is earlier.
- 5) Breach of any of above condition shall be entitled to be cancel the bail automatically.
- 6) Inform the Jail Authority through E-mail.

Gadhinglaj.
Date : 03/02/2026.

(M.A. Shinde)
Additional Sessions Judge,
Gadhinglaj.