

MHAU160011452026



Cri.Bail.Appln.No.141/2026

Karan Dilip Fulare and one

Vs.

State of Maharashtra

P.S.Gangapur

Order below Exh. No.1

[Passed on 12th August, 2026]

Accused, namely **Karan Dilip Fulare and Ajay Prakash Gaikwad**, have moved this application under **Section 483** of the BNSS, 2023 seeking to enlarge them on bail in **Crime No.381/2026** registered with Police Station, Gangapur for the offences punishable under Sections.108(1), 119(1), 115(2), 351(2), 3(5) of Bhartiya Nyaya Sanhita, 2023.

The Prosecution case in brief as follows :-

2] On 02.08.2026 the informant, Subhash Nikam has lodged report to police station Gangapur, alleging that deceased Bhagwan was his son. He had love-affair with Sakshi Pawar since from last one year. Now Sakshi married with Nanasaheb Bhujade. The accused Pruthiviraj Pawar is the brother of Sakshi. On 29.07.2026 at about 11.00 p.m. his son Bhagwan told him that on the same day at about 09.00 p.m. the accused Pruthiviraj Pawar along-with his three friends developed quarrel with him on the count as to why he telephonically called his sister Sakshi. Therefore, his three friends started to beat

him with the help of belt, fist and leg blows. They also threatened him to kill. At that time, the accused Pruhiviraj Pawar forcibly asked him to say that he will not again call Sakshi and video recorded the said incident. Therefore, due to said incident Bhagwan felt insulted. Therefore, in the night he has committed suicide by hanging himself to the ceiling. In such way, the said accused persons instigated Bhagwan to commit suicide.

3] It is the contentions of accused that they are falsely implicated in this case. They are behind the bar since long. Their custody is absolutely unnecessary. They are ready to abide all the conditions if and then imposed by the court. In fact, there is nothing in the FIR to prima facie show that they have instigated deceased Bhagwan to commit suicide. Therefore, the offence under section 108 of BNS cannot be attracted to present set of facts. Therefore, they prayed for bail.

4] Per contra, the learned APP and IO have strongly opposed the application on the count that the offence is of serious nature. There is sufficient prima facie evidence to show involvement of accused in the crime. The investigation is at initial stage. If the accused are granted with bail then the possibility of absconding and tampering of evidence cannot be ruled out. Therefore, they prayed to reject the application.

5] Heard learned counsel of accused and learned APP at considerable length. The following points arise for my determination to which I have recorded my findings with the reason as follows.

Sr. No.	Points	Findings
1.	Do accused persons prove that they have made out ground for bail under section 483 of BNSS?	Yes.
2.	Whether accused are entitled for bail as prayed?	Yes.
3.	What order?	As per final order.

REASONS

As to Point Nos.1 to3:-

6] I have given due consideration to the rival contentions of both the parties and submissions made on their behalf. On perusal of FIR, it appears that the names of present accused are not mentioned in it. There is no any specific role attributed to the present accused persons. The allegations are absolutely vague that three friends of accused Pruthiviraj Pawar beat deceased Bhagwan and therefore he felt insulted. Moreover, there is nothing to prima facie show that the present accused were intended that by such act Bhagwan shall get instigated to commit suicide. Therefore, from the allegations in the FIR, the application of provision of section 108 of BNS to the present set of facts is doubtful.

7] Moreover, it appears that the accused are behind bar since long. There is no any new discovery of fact or recovery of article is to be made from the accused persons. There is no any other reason to deny bail to the accused persons. Their custody is absolutely unwarranted and by releasing them on bail, there is no possibility of any adverse impact on the investigation. Moreover, the grounds submitted by investigating officer seems not cogent and convincing to deny right of bail to the accused. The apprehension of absconding of accused and pressurizing the witnesses can be dealt with by imposing some conditions.

8] Hence, in view of above discussion, I am of considered opinion that the present accused persons are entitled for bail as prayed. Hence, I answer point no.1 and 2 *in the affirmative* and in answer to point no.3, I proceed to pass the following order -

- **Order** -

1. The bail application No.141/2026 is allowed.
2. The accused namely, **Karan Dilip Fulare** and **Ajay Prakash Gaikwad** be released on bail in connection with Crime No. **381/2026** registered with Police Station Gangapur for the offences punishable under Sections 108(1), 119(1), 115(2), 351(2), 3(5), on executing P.B. and S.B. of Rs. 25,000/-.
3. The accused shall co-operate in the investigation.
4. The accused shall not induce, threat, pressurize or promise to any witness who are acquainted to the facts of the case.

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5. The accused shall mark their attendance on every Saturday in between 11:00 am to 1:00 pm to concern Police Station till conclusion of investigation.
6. Bail before concern Ld. Magistrate court.

Date : 12.08.2026
Gangapur.

[Rahul A. Shinde]
Additional Sessions Judge
Gangapur

C E R T I F I C A T E

I affirm that the contents of this PDF file are same word for word as per original order.

Name of Steno	:-	R.V.Kulkarni, Stenographer (Gr-1).
Court's name	:-	District Judge-1 and Additional Sessions Judge,
Date	:-	12.08.2026
Signed by P.O. on	:-	12.08.2026
Uploaded on	:-	12.08.2026