

MHAK010009892026



Cri. Bail A. No. 172/2026
Bhagvat Vs. State of Mah.

ORDER BELOW EXHIBIT-01.

[Passed on 12th March, 2026]

This is an application for pre-arrest bail U/s. 482 of the BNSS, 2023. The applicant namely, **Bhagvat Pandurang Shinagare** arrayed as an accused in crime **No.619/2026** registered with Police Station Khadan, Akola for the offences punishable under Section 108, 115(2), 351(2) read with 3 (5) of Bhartiya Nyaya Sanhita, 2023.

The Prosecution case in brief is as follows :-

02] On 15.02.2026, the informant namely Sarla Ghuge has lodged the report to police station Khadan alleging that she is working as a Manager in Cooperative Bank. Her son Vaibhao Ghuge had taken contract to run the hotel namely Mohini bar. He was the President of Congress Party Students Association. He has taken hand-loan of Rs. 3,00,000/- from Sunil Lande with interest at the rate of 20%. At that time, as a security Sunil Lande has taken cheque of Rs. 7,00,000/- from him. She has paid near-about Rs. 9,00,000/- to Rs. 10,00,000/- to Sunil Lande but in spite of it, he was harassing her son to repay more amount. Similarly, Santosh Daberao, Anil Ambhore and Bhagwat Shinagare were also harassing her son to repay the amount which they had lent to him. In spite of repayment of said amount, they were continuously visiting their house and threatening her son. Due to their harassment on 26.11.2025 her son Vaibhao has committed suicide. Therefore, as instigated by said accused persons he constrained to commit suicide.

03] It is the contention of applicant that he is falsely implicated in this case. There is delay in lodging the report. There is no nexus between the commission of suicide by Vaibhao with his any act. He is ready to abide all the conditions if and then imposed by the Court. His arrest is absolutely unnecessary. Therefore, he prayed for pre-arrest bail.

04] Per contra the Ld. APP and I.O. have strongly opposed the application on the count that the offence is of serious nature. The investigation is at initial stage. The accused is absconded. The possibility of pressurizing the witnesses and informant can not be ruled out. If pre-arrest bail is granted then the investigation will get adversely affected. On this count, they prayed to reject the application.

05] Heard learned counsel for applicant and Learned APP at considerable length. Perused the material on the record. Following points arise for my determination to which, I have recorded my findings with reasons as follows :-

Sr. No.	Points	Findings
1.	Does applicant prove that he has made out ground for pre-arrest bail under section 482 of BNSS?	Yes.
2.	Whether applicant is entitled for bail as prayed ?	Yes.
3.	What order ?	As per final order.

As to Point Nos. 1 to 3 :-

06] I have given due consideration to the rival contentions of both the parties and submissions made on their behalf. On perusal of the record, it transpires that as per the allegations of the informant there were financial transactions between her son and accused persons. Moreover, it also appears that the report of said incident of commission of suicide dtd. 26.11.2025 is lodged on 15.02.2026. Therefore, there is huge

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delay in lodging report and the informant has not tendered any satisfactory answer for said delay. Therefore, possibility of false implication by exaggerating actual story in the said mean time can not be ruled out. Moreover, if the contents of FIR minutely scrutinize then it clearly appears that the said financial transactions between deceased Vaibhao and accused persons are since from the year of 2020-21. If really the accused persons were harassing the informant and their son continuously then there should be report of said harassment against the accused persons in said period. But, nothing has been brought on record to show that the informant or deceased has made any such report to the any concerned authority. Moreover, the allegations in the FIR are not that much sufficient to prima-facie prove that because of said act of accused persons Vaibhao has committed suicide. Therefore, the possibility of false implication can not be ruled out.

07] Moreover, it appears that there is nothing to be recovered or seized from the accused person in the investigation. No any new facts are to be discovered or unfolded. Therefore, in such situation the arrest of the accused person is absolutely unnecessary. Therefore, by granting pre-arrest bail to the accused person there is no possibility of any adverse impact on the investigation. For the purpose of interrogation and to avoid tampering of evidence some conditions can be imposed. Therefore, in such situation, considering the nature of the offence, state of the investigation and the allegations in the FIR, I am of the opinion that the present accused person is entitled for pre-arrest bail. Hence, for the said reason, I answer point nos. 1 and 2 **in the affirmative** and in answer to Point no. 3, I proceed to pass following order:-

- **ORDER** -

01] Criminal Bail Application No.172/2026 is allowed.

02] In the event of arrest, applicant **Bhagvat Pandurang Shinagare** in Crime no. 619/2026 registered with Police Station Khadan, Akola for the offence punishable u/s. 108, 115(2), 351(2) read with 3 (5) of BNS, be released on P.B. and S.B. of Rs. 25,000/- subject to the following conditions :-

- (a) The applicant/accused shall not threat or pressurize to any witness and person acquainted with the fact of the case, so as to dissuade them from disclosing such facts to the court or to any police officer or tamper with the evidence.
- (b) The applicant/accused shall cooperate to investigating officer in investigation.
- (c) Inform the concerned investigating officer.

Date : 12.03.2026
Akola.

[**Rahul A. Shinde**]
District Judge-3 and A.S.J.,
Akola.

CERTIFICATE

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

Name of Steno	:-	S. D. Tekade, Stenographer (Gr-2).
Court's name	:-	District Judge-3 and Additional Sessions Judge, Akola
Date	:-	12.03.2026
Signed by P.O. on	:-	12.03.2026
Uploaded on	:-	12.03.2026