

MHBI180001202026



Cri. Bail Application No. 52/2026
Shrikrushna (Bablu) Darade & Others
Vs.
State of Maharashtra

:: ORDER BELOW EXH. 1 ::

Anticipatory bail application under Section **482** of the B.N.S.S. in crime No. 20 of 2026 of Dharur police station for the offences punishable under sections 140(2), (3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (BNS).

Brief contents of this application and argument of the applicants are-

1. The informant is the father of Dadasaheb Sham Bade lodged FIR on 27/01/2026 that her son Dadasaheb had been abducted and he raised possibility of abduction of his son Dadasaheb as he had obtained 36 Lakh rupees as advanced from Dr. Babasaheb Ambedkar Sugar Factory, Dharashiv, out of which Rs. 18,30,000/- refunded and Rs. 17,70,000/- has to be paid. While searching his son one Anil Gholve gave information that one White colour Scorpio car without having number plate abducted to his son. Accordingly, he lodged FIR to the Dharur police station. The police officer registered the crime and arrested to Manoj Gholve, Ramesh Munde. The name of these applicants alleged to be disclosed in the statement of these arrested persons. So there is apprehension of arrest of these applicants in the present crime.

2. It is argued that initially FIR was registered against unknown persons. These applicants have no concerned with said incident. This FIR is filed with malafide motive to escape from the liability fo sugar factory and to refund huge amount Rs.17,00,000/-. The story of crime case is imaginary, concocted and false. No such incident being occurred. The investigation of crime is completed, spot panchnama drawn, statement of witnesses recorded, custody of these accused are not required for investigation, nothing is requires to be seized from these applicants-accused. In such circumstances, police custody of these applicants are not required. These applicants are ready to co-operate investigation, these applicants are ready to attend the police station as an when required by the I.O. and as per the order of court. The other main accused Mahesh Kadam, Satish Chavan and Babasaheb Shankar Shelke who are the officers of Athani Sugar factory are released on bail, thus these applicants are entitled to benefit of parity. Bail is rule and Jail is exception. With this request to released on bail.

Say of the victim at Exh. 7 and prosecution at Exh. 5 as well as their argument

3. This application is strongly objected on the grounds that the nature of offence is serious one. Considering the statement of victim gravity of offence is also serious in nature. There are prima-facie evidence

against these applicants-accused about the commission of such alleged crime like abduction, used of dangerous weapon and assaulted by them with such weapon in order to commit such offences. The victim has stated entire facts of this incident as per his statement dated 12/02/2026. Wherein applicant-accused Nos. 1 and 2 had came in the said Scorpio they acrossed the said Scorpio to the motorcycle of victim and applicant Nos. 1 and 2 got down from the said Scorpio with other two persons namely Sandesh Dhumal and Manoj Gholve. Applicant No. 1 Shrikrishna @ Bablu had an Axe in his hand, he caught neck of the victim, applicant No. 2 caught arms of the victim and dragged him, the Sandesh Dhumal put a knife on his throat and hit him on the head with the handle of said knife. Due to that he had sustained injury on his head. Thereafter, they threw him in the Scorpio under the seat. Again applicant No. 1 Shrikrishna slapped him and kept his legs on his chest and throat. Applicant No. 1 Shrikrishna and Applicant No. 2 Kishor both had taken away Rs.5,000/- from his pant's pocket. Thereafter, they blind folded him, wrongfully confined him in one room, tied him to the chair and assaulted him with fists blows and kicks. The applicant No. 3 threatened him that give Rs.8,00,000/- otherwise they will throw him in any of factory. Thereafter, on 08/02/2026 at about 8.30 hours they left him at Miraj. Where the victim made a phone call to his father thereafter he was admitted to Samarth hospital, Telgaon. He was not

in condition to give a statement therefore, he had given statement at police station on 12/02/2026. It is further argued that considering these facts, and the statement of co-accused Manoj @ Sonya Gholve also stated these facts in his statement which reveals prima facie commission of said offence and these accused are involved and they have committed said offence. It is further argued that these accused are having criminal antecedents, they are absconding. Yet the investigation is not completed custodial interrogation of these accused are required for recovery of the weapons, Scorpio van and for other factors of investigation. With this request to reject this application.

Reasoning and Order

4. Having consider all above matter (application, say, documents and arguments) it reveals that Dadasaheb Bade is victim in the said alleged crime. On 12/02/2026 he had given statement of the alleged crime/incident occurred with him on 26/01/2026. While considering whether there are prima-facie material against these applicants-accused from the statement of victim it reveals that the applicant Nos. 1 and 2 had come in the said Scorpio along with other accused. Particularly applicant No. 1 Shrikrishna had an Axe in his hand, he caught neck of victim, as well as applicant No. 2 Kishor Phad caught the arms of victim and dragged him, Sandesh Dhumal put a knife to his throat and hit him on his

head with said handle of knife. Thereafter, they threw him in the said car. Applicant No. 1 slapped and put his leg on the chest and neck of the victim and thereby they had taken away Rs.5,000/- from the pant's pocket of victim. They wrongfully confined him in one room and tied him to the chair and assaulted him with fists blows and kicks. The applicant No. 3 Santosh Choure threatened him to kill by throwing him in one of factory and thereby they left him on 08/02/2026 at about 8.30 pm at Miraj.

5. Moreover, one of the alleged co-accused Manoj Chandrakant Gholve had given statement to police station that about said incident as per statement of Victim wherein involvement of accused Nos. 1 to 3 have been stated by him.

6. One of the eye witness Samadhan Munde who has stated that while he was proceeding on his motorcycle Hero delux company MH-44 X-3688 towards Chondi and when he reached at Telgaon road he had seen one white colour Mahindra company Scorpio crossed the motorcycle MH-23 AE-2756. He also saw that the Manoj Gholve, Sonu Dhumal, Darade and Choure wherein the Scorpio car and they caught neck of victim and dragged him, Kishor Phad applicant No. 2 also present there and they abducted to the victim in the said Scorpio car which was not having number plate.

7. As above statements and other evidence it reveals that there

are prima facie material against these applicants-accused about the involvement and commission of such crime.

8. Considering the nature and gravity of the crime are serious in nature which is title as a kidnapping or abducting in order to murder or for ransome, etc. As per clause 2 and 3 of section 140 of B.N.S. as person who is kidnapped or adducted detained and threatened to cause death or hurt to such person or by his conduct gives rise to a reasonable apprehension that such person may be put to death or hurt, or causes hurt or death to such person which is punishable for imprisonment of life and fine. And with intent to cause that person to be secretly and wrongfully confined is punishable for a term which may extent to 7 years and fine.

9. These applicants argued about release of other persons namely above on bail but considering facts that their names not disclosed in the statement of victim or other witnesses, as well as the victim himself has given no objection to release them on anticipatory bail as they do not have role in said crime. Accordingly, on these grounds those were released on anticipatory bail. Role of these applicants-accused are prima facie involvement of these accused, and those released on bail had no prima facie any material against them about commission of crime. So rule of parity not applicable.

10. As per the facts of the prosecution yet investigation has not

been completed, the weapons which alleged to be used in said crime has to be recovered, and custodial interrogation of these applicants-accused is required for investigation of the said crime in detail. In that circumstances, these applicants-accused are not entitled to release on anticipatory bail. Hence, this application has to be rejected.

Pass following order.

ORDER

1 Application is rejected.

(Pronounced in open Court)

Place : Kaij
Date : 16/03/2026.

(**Rahimat K. Shaikh**)
Additional Sessions Judge
Kaij.

CERTIFICATE

I affirm that the contents of this P.D.F. file are word to word, as per the original judgment /order.

Dictated on : 16.03.2026
Transcribed on : -----
Checked & signed on : 16.03.2026

sd/-
(S. S.Nakhate)
Stenographer Grade-3,