

MHKO010009582026.



In the Sessions Court, Kolhapur, at Kolhapur

(Presided over by R. V. Utpat, Additional Sessions Judge, Kolhapur)

Criminal Bail Appln. No.215/2026

Rushikesh Mahadev DhendeApplicant-Accused No.1

Sourabh Dinkar KambleApplicant-Accused No.3

Versus

The State of Maharashtra Opponent.
Through Murgud P S.

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Appearance:-

Adv. Mr. P. P. Kalekar, for the Applicant.

Ld. APP Smt. M. B. Patil, for the State

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Order below Exh. 1

1. The applicants are seeking bail under section 483 of the Bhartiya Nagarik Surakasha Sanhita, 2023 in C. R. No.34/2026 of Murgud police station registered for the offence punishable under sections 308(2), 308(7), 308(5), 308(6),308(2), 352 read with section 3(5) of the Bhartiya Nyaya Sanhita, 2023.

2. The crime is registered on the basis of the FIR lodged by one Yogesh Dabhade stating that, a crime is registered against his father at Juna Rajwada police station on 12/01/2026 for offences under the POCSO Act and the S.C & S. T. Act and he is in judicial custody. On 27/01/2026 and 20/02/2026, the informant met his

father at the Sub-jail and his father disclosed him that on 01/01/2026 at about 5.00 to 5.30 p.m, one Rushikesh Dhende(the applicant no.1) made a mobile phone call to him and asking him to come to Murgud Naka in relation to some urgent work and meet Tejpal Kamble there. Accordingly, the informant's father went to Murgud Naka at 6.00 p.m and he met Tejpal and Sourabh Kamble (applicant no.2). They told him that his friendship with a minor girl and their Whatsapp conversation had come to the knowledge of the family members of the girl and they were going to lodge a report of offence under the POCSO Act and the Atrocity Act as well as offence of rape and if he wanted to get rid of such complaint, he should pay Rs. 15 Lakhs to them. They also threatened him that they would cut him to pieces by means of *Edka* if he did not pay the money. Thereafter on 02/01/2026 and 03/01/2026 said Tejpal Kamble and his companion started making threatening phone calls to him and pressurizing him to pay extortion money. Thereafter, on 04/01/2026, said Tejpal made a phone call to informant's father and abused and threatened him that, if the amount of Rs.15 Lakhs was not paid before 06/01/2026, he would lodge a complaint for offence under POCSO Act & SC & ST Act.

3. Thereafter, the informant's father obtained loan of Rs. 12 Lakhs from the Primary Teachers Co-operative Society, Kagal, Branch Murgud. Said Tejpal made a phone call to the founder of the said Society inquiring whether the loan was sanctioned or what. Thereafter, the informant's father borrowed Rs. 3 Lakhs from one Sandip Mangale and then on 06/01/2026 he went to Madilge road for giving the said cash amount. But before giving the cash amount, he inquired whether the mother of that girl had come. Thereafter, Tejpal, Sourabh and one unknown person accepted Rs. 15 Lakhs and

also told him that it was just token amount and unless and until he paid remaining Rs. 35 Lakhs, he would not be spared and offence would be registered against him. They also set the deadline of 25th January 2026. In the meanwhile, those persons were giving threat calls to the informant's father, who was stating to them that it was not possible to arrange for Rs. 35 Lakhs and at the most he can arrange for Rs. 15 Lakhs. Thereafter, Tejpal threatened him that if he did not pay Rs. 35 Lakhs, case would be registered within 24 hours and thereafter on 12/01/2026, informant's father came to be arrested on the basis of the complaint of the minor girl. The informant also remembered that, on 03/01/2026 at about 7.00 to 7.30 p.m, Tejpal Kamble and Sourabh Kamble had visited his house and inquired about his father and the informant had told them that his father was not at home and on that, they had inquired whether he had arranged for money. Accordingly, the informant lodged report with the police station and crime came to be registered.

4. The applicants have contended that, they are innocent and have not committed any crime, but they have been falsely implicated. They have further contended that, they do not have any criminal antecedents and they belong to respectable family. Their custodial interrogation is not required and they are ready to cooperate with the investigating agency. The applicant no.1 has completed diploma from I.T.I. and he is the sole bread earner of the family. On these grounds the applicants have prayed for bail.

5. The application is resisted by the State on the grounds that, the offence is grave and not bailable. There is material showing that, the applicant no.1 contacted the father of the informant on phone and asked him to contact the accused no.2 for settling the

matter. The State has further stated that, there is possibility that, the applicants may hamper the investigation, pressurize the witnesses or abscond, if released on bail. Furthermore, the statements of the witnesses are yet to be recorded under section 183 of the B. N. S. S and out of the extorted money, Rs. 1 Lakh is yet to be recovered.

6. I have heard the Ld. Advocate Shri. P. P. Kalekar for the applicants and the Ld. A.P.P Smt. M. B. Patil for the State.

7. The Ld. Advocate for the applicants submitted that, the applicants are in judicial custody, investigation as regards the applicants is almost complete and nothing is to be recovered from the applicants. He further submitted that, the call detail records are already obtained, the offence is triable by the Ld. J. M. F. C. and provides for maximum punishment of ten years. He further submitted that, the applicant no.1 is the brother and the applicant no.3 is the maternal brother of the victim girl in the case under the POCSO case.

8. Per contra, the Ld. APP submitted that, in the investigation, it has transpired that, the applicant no.1 was in contact with the other accused and the offence is outcome of consorted act of all the accused persons. She further submitted that, out of the extortion money of Rs. 15 Lakhs, Rs. 14 Lakhs has been recovered and remaining amount is yet to be recovered. So also, statements under section 183 of the B. N. S. S are yet to be recovered and investigation is going on. She further submitted that, the applicants may flee from justice or pressurize the witnesses, if released on bail.

9. I have given thoughtful consideration to the submissions made on behalf of the parties.

10. The alleged offence provides for punishment which may extended upto ten years and it is triable by the Magistrate Of First Class. The record shows that, the applicant no.1 was arrested on 26/02/2026 whereas, the applicant no.3 was arrested on 22/02/2026. It also appears that, since 27/02/2020 the applicants are in magistral custody. It also appears that, the bail application moved by the applicants before the Ld. J.M.F.C. came to be rejected on 02/03/2026 with the observations that, if the accused are enlarged on bail, they will tamper with the prosecution evidence or hamper the investigation. It appears that, the investigating officer has seized some pen drives, mobile hand sets with SIM cards as well as gold ornaments, cash amount and some furniture. There are allegations that, the applicants and some other accused persons were threatening the informant's father to rope him in a crime regarding the offence under the POCSO Act and the S.C & S. T. Act and asking him to give them Rs. 50 Lakhs. It is also alleged that, the informant's father had paid the accused persons total amount of Rs. 15 Lakhs. It is material to note that, a crime for the offence punishable under section POCSO Act and S.C & S. T Act in relation to minor girl is already registered against him and while he was in judicial custody, he made disclosure to his son i.e. the informant regarding the alleged incident in respect of which the present crime is registered. The investigating officer has collected call details record as well as seized mobile phones with SIM Cards and it is stated that, muddemal worth Rs. 14 Lakhs has been already recovered. There appears delay in lodging FIR. As the applicants are in judicial custody since 27.2.2026, it can be inferred that, their physical

presence is not required for investigating purpose. In these circumstances, I deem it fit to grant bail to the applicants. Apprehension of the State can be taken care of by imposing certain conditions. Hence, I pass following order.

Order

1)	The application is allowed.
2)	The applicant-accused No.1 Rushikesh Mahadev Dhende and the applicant-accused no.3 Sourabh Dinkar Kamble in C. R. No.34/2026 of Murgud police station registered for the offence punishable under sections 308(2), 308(7), 308(5), 308(6),308(2), 352 read with section 3(5) of the Bhartiya Nyaya Sanhita, 2023, be released on P. B. & S.B. of Rs.50,000/- (Rs. Fifty Thousand only) each on the following conditions:
	i) The applicants shall attend the concerned police station on every Monday and Friday between 10-00 to 11-00 a.m till filing of the charge-sheet or further orders.
	ii) The applicants shall not tamper with the prosecution evidence and shall not pressurize the witnesses.
	iii) The applicants shall place on record documentary proof in respect of their residence and shall communicate any change in their residential address.
	iv) The applicants shall not commit any offence similar to the offence alleged against them.
3)	Bail before the learned J. M. F. C.

4)	Since the bail application is filed online, separate physical copy of this order is not maintained. All concerned to act upon digitally signed copy of this order uploaded online.
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Date : 13/3 /2026.

(R. V. Utpat)
Additional Sessions Judge,
Kolhapur.

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

Name of the Stenographer	Mrs.S.R.Tambvekar
Name of Court	Mr. R. V. Utpat Additional Sessions Judge, Kolhapur.
Date of Dictation	13/03/2026
Order signed by the P.O. on	18/03/2026
Order uploaded on	18/03/2026