

MHKO010020892026

**ORDER BELOW EXH.1 IN CRI. BAIL APPLN. NO.548/2026**

(Rohit Ashok Lokhande Vs. State of Maharashtra)

1] Perused application and say filed by I.O. and APP. Heard Advocate for applicant and APP for State. Perused affidavit filed on behalf of applicant in respect of compliance as per guidelines.

2] This is a first bail application filed under section 483 of the Bharatiya Nagarik Suraksha Sanhita, (Hereinafter referred as 'BNSS') by applicant in respect of his arrest in C.R. No.68/2026 registered at Murgud Police Station for the offences punishable under sections 115 (2), 118(2), 126(2), 140(2), 3(5), 351(2), 352 of the Bharatiya Nyaya Sanhita, 2023 (Hereinafter referred as 'BNS'). First informant is Agriculturist and prior to two years, he was doing share marketing work. For that some women and men invested money to him. Tara Yadav R/o. Sangavade invested Rs.50,000/- to him and he returned 5% per month. As he sustained loss he closed share market business. Tara Yadav and other investors demanded money to him time to time but as his construction was going on he failed to return said amount. On 03/04/2026, at about 4:30 PM, on road near farm at Hamidwada, Taluka Kagal, accused No.1, applicant i.e. accused No.5 and four unknown persons on the say of accused No.3 in furtherance of their common intention while first informant and Sanju Mistri, R/o. Bedkihal, Karnataka, who performs Centering work at house of informant were proceeding on a motorcycle, accused intercepted their path using a red I20 car and a Splendor motorcycle on account of non-payment of money owed to Himanshi Yadav. Accused No.1 and other five people started beating first informant, accused No.3 came and demanded amount of Rs.3,00,000/- by telling that she invested that amount in share market. First informant convinced that accused No.3 never invested any amount but Tara Yadav invested Rs.50,000/- to him. They

forcibly kidnapped both first informant and Sanju Mistri into their vehicle. Subsequently, they dropped Sanju Mistri at the Shahu Toll Plaza. Thereafter, they drove first informant around to various locations, abused and physically assaulted him with kick and fists blows. They threatened him with dire consequences if the money was not paid. As a result of this assault, he sustained injury to his right eye. So he lodged FIR against accused No.1 to 3. During investigation role of applicant and other accused revealed.

3] According to applicant, he is falsely implicated in this case. His name is not mentioned in FIR and no role is attributed to him. There is delay in lodging report. There is financial dispute between first informant and accused No. 1 to 3 and false case is filed to avoid for payment of money. Maternal aunt's husband of applicant viz. Tanaji Hindurao Devkule died and he was engaged in the process of his posthumous work. Applicant went to give petrol to his friend Atul i.e. accused No.2. Entire incident narrated by first informant about his kidnapping is false and not believable. Applicant is involved only on suspicion. After alleged abduction first informant made phone call to his son, demanded money but he did not communicate to other relatives. There is delay in lodging report. There is nothing on record about use of any weapons. First informant has criminal antecedents. Previous anticipatory bail application No. 339/2026 was rejected on the ground that T.I. parade of applicant was pending. Now investigation is completed, T.I. parade of applicant is conducted and charge-sheet is filed. Applicant is 25 years old and Driver. His family members are depending on him. He is resident of Malwadi, Tal. Kagal, Dist. Kolhapur. He is ready to abide conditions and prayed to release him on bail.

4] APP and IO objected application on ground that applicant, accused No.1 to 3 and other accused were in collusion, they kidnapped first informant, beat, abused and threatened him. After verification of mobile number location of applicant, it revealed that accused No.3 was present at the spot of incident. There are criminal antecedents of colleagues accused of

this applicant. Applicant will pressurize first informant and witnesses. There is possibility of tampering prosecution evidence. So they prayed to reject application.

5] Allegations against the applicant are serious. From statement and supplementary statement of First informant role attributed to applicant can be gathered. First informant narrated in detail that on 3/4/2026 at the instance of accused No.3, accused No.1, applicant and other unknown persons forcibly kidnapped him and his worker Sanju by demanding amount of Rs.3,00,000/-. After some time they dropped Sanju at Toll Naka and took first informant at various places, abused, beat him, threatened him and he sustained injury to right eye. Advocate of applicant submitted that applicant is not concerned with alleged offences. There was financial dispute between first informant and accused named in FIR. Name of applicant is not mentioned in FIR. Nothing is recovered from applicant. First informant himself stated about his share market business, loss in it and transaction with Tara Yadav. Due to filing of charge-sheet further detention of applicant is not required.

6] Advocate of applicant filed copy of FIR, hall ticket of applicant which shows date of examination dt. 15/4/2026, Aadhaar card, ration card, 10<sup>th</sup> and 12<sup>th</sup> Std. Mark-sheet, driving license of applicant, Application dt. 7/4/2026 given by his uncle Hindurao etc. and pursis stating that charge-sheet is filed bearing RCC No. 80/2026. Advocate of applicant has filed pursis stating that Test Identification Parade of this applicant from first informant is conducted on 7/7/2026. As per affidavit filed on behalf of applicant, applicant has criminal antecedents in Kagal Police Station, C.R.No.22/2024 for offences under Section 324, 323, 504 etc. of IPC is pending against him. Therefore APP for State submitted that considering manner of offence, there is gravity. There is possibility of tampering prosecution evidence.

7] In respect of antecedents, Advocate of applicant relied on authority cited in **Prabhakar Tewari Vs. State of Uttar Pradesh and Anr. reported in 2020 DGLS (SC) 79**, in which Hon'ble Apex Court observed that materials available do not justify arriving at the conclusion that order granting bail suffers from non-application of mind or reason. Merely because allegations are grave and several criminal cases are pending against the accused by itself cannot form basis for refusal of prayer of bail. Ratio laid down in above cited ruling is noted and considered.

8] In police papers, there are statement, supplementary statement of first informant in which he narrated entire incident in detail. His MLC certificate is obtained and he was referred for Ophthalmologist opinion in respect of right eye sub conjunctival hemorrhage. Medical paper of CPR hospital is filed. Spot panchanama is prepared. It appears that statements of relatives of first informant, other witnesses are recorded. Call detail record of accused No.1 is obtained. It appears that there was some money transaction. Recently charge-sheet is filed. Prosecution has filed report stating that Test Identification parade of applicant No. 5 and accused No. 7 was conducted on 7/7/2026. Though there is gravity of offence, due to filing of charge-sheet further detention of applicant is not required. Trial will take time. Applicant is 25 years old, Driver and his family members are depending on him. Applicant is in jail since May 2026. He is resident of Malwadi, Dist. Kolhapur so his presence can be secured. In view of gravity of offence strict conditions are to be imposed. No purpose would serve by keeping applicant behind bar for unknown period. Therefore application deserves to be allowed with following order.

#### **ORDER**

- 1] Application is allowed.
- 2] Applicant Rohit Ashok Lokhande be released on executing P.R. bond of Rs.75,000/- with one solvent surety in the like amount.
- 3] Applicant shall not tamper the prosecution witnesses in any manner.
- 4] Applicant shall attend each date of court.

- 5] Applicant shall not threat and pressurize prosecution witnesses and shall not repeat the offence.
- 6] Applicant shall co-operate investigating machinery as and when required.
- 7] Prior to furnishing surety, applicant shall submit his address proof, mobile number and inform about the change in address and mobile number.
- 8] Applicant shall submit list of three blood relatives with their detail residential addresses and addresses of their place of work.
- 9] Bail before Ld. Judicial Magistrate First Class, Kagal.
- 10] 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.

Date : 22.07.2026

(Smt. R.V. Adone)  
Additional Sessions Judge, Kolhapur.

**Certificate**

“ I affirm that the contents of the P.D.F. File order are same word for word as per original order.

Sd/-  
[A.A.Patil]  
(Stenographer G-1)