

MHKO010025432026



Order below Exh. 1 in Cri.Bail Application No.641/2026.
(Atul Balaso Chandne Vs. State of Maharashtra)

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

2] This is second bail application filed under Section 483 of Bhartiya Nagrik Suraksha Sanhita by applicant in respect of his arrest in C.R.No. 68/2026 registered at P.S.O. Murgud Police Station for the offences p/u/sec. 115(2), 118(2), 126(2), 140(2), 351(2), 352 r/w. Sec. 3 (5) 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 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 applicant, accused No.1 and 3. During investigation role of other accused revealed.

3] According to applicant, he is falsely implicated in this case. He has not committed alleged offence. Alleged dispute has origin in monetary transactions relating to share market activities. No role is attributed to him and nothing is recovered from him. As per first informant Tara Yadav had invested some amount with him and he could not repay that amount to her, applicant is not concerned with said Tara Yadav, conduct of witnesses is doubtful, son of informant never promptly informed to police after receiving ransom call. First informant was accepting investment from persons with assurance of monthly returns but due to loss he could not repay amount. Applicant is involved only on suspicion. Previous bail application is rejected on the ground of investigation is incomplete. Now investigation is completed and charge-sheet is filed. Trial will take time. As per principle bail is rule and jail is exception. Applicant is 28 years old and doing Labour work. His family members are depending on him. He has no criminal antecedents. He is resident of Belavale Bk., 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 accused No.3 instigated accused No.1 to kidnap first informant and intention can be gathered. There was collusion of accused No.1, 3, applicant and others. All accused kidnapped first informant, witness Sanju, took them to various places, abused, threatened and beat first informant. All accused used red colour car and same is to be seized. There are criminal antecedents of colleagues of applicant. As per location of mobile phone of applicant, his presence at spot of incident can be gathered. 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. Applicant never invested any amount with him in his share market business. However one Tara Yadav invested amount and he could not repay her amount in time. Applicant was never present at spot of incident. 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, previous bail order, pursis stating that charge-sheet is filed bearing RCC No. 80/2026. APP for State submitted that considering manner of offence, there is gravity. There is possibility of tampering prosecution evidence. 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. 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 28 years old, doing Labour Work and his family members are depending on him. Applicant is in jail since April 2026. He is resident of Belavale, Dist. Kolhapur so his presence can be secured. Applicant has no criminal

antecedents. 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 Atul Balaso Chandne 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)