



<p><u>Cri.B.A.No.1068/2025</u></p> <p>MHKO010047362025</p> 	<p><u>Sessions Case No.1/2026</u></p> <p>MHKO010000542026</p> 
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**Common order below Exh.1 in Cri. Bail Application No.1068/2025  
and below Exh.3 in Sessions Case No.1/2026**

Applicants Abhijit Maruti Patil and Kapil Bhagwan Patale have filed these regular bail applications under section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023. They are in judicial custody in pursuance to Crime No.259/2025 registered against them at police station, Radhanagari, Dist. Kolhapur under sections 103(1), 238, 311, 61(2) r/w. 3(5) of the Bharatiya Nyaya Sanhita (corresponding to sections 302, 201, 397, 120B r/w.34 of Indian Penal Code).

2. The grounds for bail are raised in the application. According to applicant Kapil, he is falsely implicated in the crime. No direct or indirect evidence about his involvement in the crime is available. His arrest was only on the suspicion. There is delay in lodging the FIR. The CDR record only shows telecommunication between him and accused Abhijit. On the relevant date and time he was present in Ganesh procession. This is witnessed by several people. During the procession he went for a dinner with his friend and they met with an accident. He undergone treatment. This is

supported by medical reports. His presence in Ganesh procession is also supported by different videos. The murder was committed for the money required for repairing of his sister's vehicle is false and baseless, because the car was fully insured, the claim is sanctioned and the money is transferred in the account of claimant. He is ready to abide all the conditions. He prayed for bail.

3. According to applicant Abhijit, the first information report was lodged against the unknown person. His implication in the crime is only on the suspicion without direct or indirect evidence. No independent eye witness has stated that he saw the applicant committing the crime. There is delay in lodging the FIR. Thus, he prayed for bail.

4. The applications are opposed by the prosecution by filing say. According to the prosecution, accused Kapil has accepted during the interrogation that the gold ornaments were handed over to accused Abhijit. Clothes on the person of accused Abhijit are discovered. Accused Kapil was closely watching the place of incident. When the police came there and made panchanama, he put his signature on it as a panch. He tried to mislead the informant in presence of the police and told him to see whether the deceased fell in the dung or she was murdered. In P.M. report the deceased found died due to head injury. He was absent in the procession between 10.05 p.m. and 11.00 p.m. There is ample evidence against him about his involvement in the crime. His application be rejected.

5. According to the prosecution, there is recovery of gold

ornaments at the instance of applicant Abhijit. The clothes on his person are seized and they found washed. Involvement of accused Abhijit is revealed after the investigation in the crime. He is not entitled to bail.

6. Ld. Advocates for both the applicants submitted that the case against them is based on circumstantial evidence. There is delay in lodging the FIR. Nothing is recovered from applicant Kapil, except the clothes. In the first information report the informant has not stated that ornaments were there on the person of the deceased. He told this fact in his supplementary statement dated 08/09/2025. It is submitted on behalf of accused Abhijit that the informant has given three statements. In his initial statement he did not say about the ornaments on the person of the deceased. It is finally submitted on behalf of both the accused that they be released on bail.

7. The chargesheet is filed against the applicants. It is case of prosecution against the applicants that the deceased was living alone at village Panoli. Between 06/09/2025 and 07/09/2025 unknown person gave blow on her head by something and threw her body in the gobar gas tank. During the investigation, it revealed that both the applicants were in financial crises. They hatched a conspiracy, entered into the house of the deceased, killed her, removed ornaments on her person, cleaned the blood found in the house and threw body of the deceased in the gobar gas tank.

8. The investigation papers reveal that on 09/09/2025 memorandum statement of applicant Abhijit Patil was recorded and

in pursuance of the same four gold ornaments were discovered at his instance, concealed below the stones at his backyard. The ornaments discovered at the instance of applicant Abhijit and their description in the supplementary statement of the informant have resemblance. This is sufficient to connect applicant Abhijit with crime. Another reason to connect him with the crime is his extra judicial confession made before witness Vinayak Pugaonkar, who told police during the course of investigation that on 09/09/2025 applicant Abhijit told him that on the day of Ganesh immersion procession he and Kapil killed Revadekar Mai and removed ornaments on her person. These circumstances make applicant Abhijit dis-entitled to get relief of regular bail.

9. Against applicant Kapil, witness Sangita has specifically stated that on the day of the incident he found standing near the place of incident. Witness Siddharth Mudugade, who shoot the Ganapati immersion procession, candidly told before the police in his statement that he shoot 22 videos of the procession. He did not find applicant in the procession after 10.05 p.m. Thus, there is reasonable suspension against the applicant Kapil about his involvement in the crime.

10. The case laws placed on record by the applicants are not identical with the facts in the case at hand. With utmost respect, reliance is not placed on it.

11. Looking to the serious nature of the offence and the punishment provided for it, it is not desirable to release both the

applicants on bail. In the result, following order is passed -

**Order**

1. Both applications are rejected.
2. Copy of original order be kept in Sessions Case No.1/2026.
3. The order be uploaded in both the proceedings.

(D.V. Kashyap )

Date: 11/04/2026.

Additional Sessions Judge, Kolhapur.