



CNR: MHLA01-001398-2026.
Cri. Bail Appln. No. 291/2026.
Kartik Waghmode -Vs.- State.

ORDER BELOW EXT.1.

1. The applicant has presented this application for grant of regular bail under Section 483 of the BNSS in Crime No.87/2026 registered at Police Station, Bhada, Tah. Ausa, Dist. Latur for the offences punishable under Sections 310(4)(5) of the BNS, 2023.

2. **Brief facts of the prosecution are as under :**

- The owner of *Radhika Kala Kendra* at Sindala informed to the police-station about a gang of criminals came near the said premises. The police reached the incidental spot. They found some persons were running away in the darkness. They apprehended one of them who told his name as Datta. Later-on, police apprehended the co-accused persons including the present applicant. They found in possession of the dangerous weapons like daggers, hunters, chilly powder, cotton strings, steel belt with a sharp and cutting blade. They did not explain about possessing those articles. Hence, FIR was filed and investigation is in progress, wherein the accused were traced as involved in attempt to commit dacoity.

3. The applicant in the aforementioned backdrop has raised the grounds for bail that he went at the venue for attending dance performance. Police came there, screened the spectators and told present applicant along with others to leave, except accused Datta. Abruptly, thereafter the police arrested the

present applicant. He is thus falsely implicated in the crime. The police has falsely shown recovery of the weapons and incriminating material at the same time from the custody of all the accused persons who have arrested at different time slots. Thus, the police only to create scene of offence, also implicated the weapons and articles. The applicant is an agriculturist, whose family is depending upon him for livelihood. He is ready to abide with terms and conditions of bail.

4. The I.O. and A.P.P. have presented their common reply vide Ext.6 materially by reiterating aforementioned prosecution case. They further submit that the applicant will pressurize the prosecution witnesses as well as flee away from justice if gets bail. The investigation is in progress about finding out the associates of present accused persons. The bail application therefore needs to be rejected.

5. I have heard arguments of ld. Adv. Mr. S.D. Babare for the applicant and ld. APP Mr. S.S. Randad for the State. They have reiterated the aforementioned respective cases. After perusing the record, the points arise for determination are answered for the reasons as under :

Sr. No.	P O I N T S	F I N D I N G S
1)	Whether the applicant is entitled for grant of bail under Section 483 of the BNSS ?	Yes.
2)	What is order ?	: As per final order.

R E A S O N S

As to point No.1 :

6. The applicant was apprehended by police after getting information from the main accused – Datta who was arrested on the spot. Such *modus operandi* of police has no any evidentiary value in absence of apprehending the present applicant in the light of any acceptable cogent evidence. The FIR and investigation papers, at this stage, reveal that the applicant was apprehended on the ground of his involvement in preparation for committing dacoity. The police alleges same only on the basis that some dangerous weapons like daggers, hunters, steel belts along with the articles of chilly powder pouch and strings etc. were found in possession of those accused persons. Only on that basis, how the police could come to the conclusion of the accused thus prepared to commit dacoity, is ambiguous. The police did not find any possibility that as such those accused persons would have prepared to commit any other offence except the alleged one. Thus, suspicion starts from its inception pertaining to the present crime.

7. Already the co-accused Saisatish has been released on bail who is facing the same accusations like that of the present applicant. Therefore, the principle of parity will be applicable to the present applicant for grant of bail. It is not specifically made out by the I.O. as to any of those weapons or articles were seized from custody of the present applicant. As such, his involvement in the alleged crime is not evident from the record. That apart, the applicant was arrested on 19.05.2026.

It is not the case of prosecution that the applicant was apprehended from the incidental spot. The prosecution does not apprehend the applicant will flee away from justice if gets bail. As such, I do not find any ground to detain further the applicant in the judicial custody. The applicant is entitled for grant of bail. I therefore answer point No.1 in the affirmative.

As to point No.2 :

8. The applicant has succeeded to prove the present application. Hence, I pass the following order :

O R D E R

1. The application is allowed.
2. The applicant- **Kartik Prakash Waghmode** be released on bail on executing each the PR bond of Rs.50,000/- (Rs. Fifty Thousand only) with surety of like amount in Crime No.87/2026 registered at Police Station, Bhada, Tah. Ausa, Dist. Latur for the offences punishable under Sections 310(4)(5) of the BNS, 2023.
3. The applicant shall not tamper the prosecution witnesses in any manner and shall cooperate the investigating officer in the investigation.
4. The applicant shall not involve in any repetition of the instant crime as well as he shall not commit any other crime.
5. The applicant shall submit a list of at least three blood relatives with respective mobile phone

numbers and detailed residential addresses and also addresses of their place of work, as per Criminal Manual Chapter-I, Para 12(1).

6. The applicant shall attend the Court dates regularly and participate to conduct the proceeding of the case promptly on each and every stage.
7. Breach of any of these conditions will be the ground for cancellations of bail.
8. Bail before Id. J.M.F.C., AUSA.

Date : 04.06.2026.

(R.R. Bhosale)
Additional Sessions Judge,
Latur.

"CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT/ORDER".	
(V.S. Patil) Stenographer (Grade-1) NAME OF STENOGRAPHER	
Name of the Judge (With Court Room No.)	: Shri R.R. Bhosale, Additional Sessions Judge-1, Latur. (18)
Date for pronouncement of Judgment/Order	: 04.06.2026.
Judgment/Order signed by P.O. on	: 04.06.2026.