

IN THE COURT OF ADDL. SESSIONS JUDGE-1 KANDHAR

CNR No.
MHND080003932026



Criminal Bail Application. No. 71/2026

Haridas S/o Ramu Baswante

Vs.

State of Maharashtra

ORDER BELOW EXH-1

The present bail application is filed by the applicant under Section 482 of Bharatiya Nagrik Surakhasha Sanhita, 2023 (in short 'BNSS'), for anticipatory bail in connection with the C. R. No.200/2026 registered with Kandhar Police Station for the offence under Section 108, 308(3), 3(5) of the Bhartiya Nyaya Sanhita, 2023 (in short 'BNS').

2. In short, the informant's case is that :-

The informant is having two sons and two daughters. It is alleged that on 24-05-2026 at about 03:30 p.m. when she was at her home, her son was brought on motorcycle by the accused No.1. She asked the accused No. 1 to help them in releasing the motorcycle seized by Kandhar Police Station. The accused No.1 refused for the same. It is alleged that she said to the accused No.1 that he is pressurizing her son and if something goes wrong with her son, she will name him. It is alleged that on which the accused No.1 said that if she takes his name, he will kill her. It is further alleged that thereafter, the accused No.1 said that he will get the motorcycle released and took her son on motorcycle. It is alleged that she

searched for her son as he did not return. One Ramchandra Devkamble told her that at about 04:00 p.m. he has seen the accused and her son on motorcycle. She called the accused No.1 at about 09:00 p.m., he asked her not to call again, though she called again and again, he did not reply. It is alleged that on 25-05-2026 at about 07:00 a.m. her son i.e. deceased Swapnil was hanging to a *neem* tree. It is alleged that the accused No.1 was demanding money for release of the motorcycle and previously also he was harassing her son. On this sort of report, the crime is registered.

3. The Investigating Officer through the learned APP has filed say vide Exh.09 and has resisted the application.

4. Notice was issued to the informant, she has appeared through her learned advocate and has filed her say alongwith affidavit vide Exh. 13 and has resisted the application.

5. Heard both the sides and the learned advocate for the informant.

6. The learned advocate for the applicant while referring the report submitted that, the alleged role attributed to the present applicant is that he had accompanied the accused No.1 on motorcycle and except that no allegations are made against him.

7. He submitted that the applicant is falsely implicated. All

the material allegations are against the accused No.1. He submitted that nothing is to be recovered or discovered at the hands of the applicant, there are no antecedents against him. He submitted that the applicant is innocent and there is no sufficient material against the applicant. He submitted that unnecessarily liberty of the applicant cannot be curtailed. He submitted that the applicant is ready and willing to abide by the conditions which may be imposed on him. In support of his submissions, he has placed reliance on the judgment of Hon'ble Supreme Court in the case of ***Abhinav Mohan Delkar Vs. The State of Maharashtra & Ors, Criminal Appeal Nos. 2177-2185 of 2024*** dated 18-08-2025.

8. The learned APP has strongly objected the application. He submitted that the deceased was lastly seen in the company of the accused. He submitted that thereafter the dead body of the deceased is found. He submitted that the applicant has played important role in the crime and custodial interrogation with him is necessary.

9. The learned advocate for the informant has supported the submissions of the learned APP.

10. The report discloses that the deceased was seen by the informant in the company of the accused No.1. She came to know that the accused No.1 took the deceased on motorcycle and he was accompanied by the applicant. There are allegations that the informant called the accused No.1, he told her not to call him again.

Thereafter, the deceased was found hanging.

11. Considering the above facts, the possibility of making out grave offence cannot be ruled out. Therefore, custodial interrogation of the applicant is necessary. Thus, the facts of the present case and of the above cited ruling are different and it is not helpful to the applicant. In the result, following order is passed-

:: ORDER ::

The application is rejected.

Date : 11.06.2026

(Mandar N. Patil)
Addl. Sessions Judge,
Kandhar

CERTIFICATE

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

Name of stenographer	A.P. Deshmukh, Grade-1
Name of Court	Addl. Sessions Court-1, Kandhar
Date of Dictation	11.06.2026
Order signed by the P.O on	11.06.2026
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