

SESSIONS CASE NO. 470/2025

The State of Maharashtra Through
Kondhwa PStn.
Vs
Ganesh Vitthal Vhaningale & Ors.

A. CASE DETAILS

- | | |
|---------------------------------------|---|
| 1. FIR Number and Date | 1127/2024
dated 08/10/2024 |
| 2. Police Station, District and State | Kondhwa Police Station,
Pune. |
| 3. Sections invoked | u/s. 109, 352, 351(2)
r/w 3(5) of BNS, u/s. 37
(1) (3) r/w. 135 of
Maharashtra Police Act
and u/s. 4 (25) of Arms
Act. |
| 4. Maximum punishment prescribed | Upto 10 years. |

B. CUSTODY AND PROCEDURAL COMPLIANCE

- | | | |
|---|-----------------------------------|-------------------|
| 1 | Date of arrest | 18/10/2024 |
| 2 | Total period of custody undergone | One and half year |

C. STATUS OF TRIAL

- | | | |
|----|---|--------------------------|
| 1. | Stage of proceedings | For Deposit of |
| | (investigation/chargesheet/cognizance/ framing of charge/trial) | Muddemal and C.A. report |
| 2. | Total No of witnesses cited in the chargesheet | More than 20 |
| 3. | Number of prosecution witness examined | NA |

D. CRIMINAL ANTECEDENTS

- | | | |
|---|---------------------------------------|---|
| 1 | FIR No. and Police Station | 1196/2020,
Kondhwa Police
Station |
| 2 | Sections | u/s. 363 of IPC, 11,
12 of POCSO. |
| 3 | Status (pending/acquitted /convicted) | Acquitted
on 17/08/2023. |

E. PREVIOUS BAIL APPLICATIONS

- | | | |
|---|------------------|---------------------------------------|
| 1 | Court | District and Sessions
Court, Pune. |
| 2 | Case No. | 405/2025 |
| 3 | Outcomes of Case | Rejected. |

F. COERCIVE PROCESSES

- | | | |
|---|---|----|
| 1 | Whether any non-bailable warrant was issued | NA |
| 2 | Whether declared a proclaimed offender | NA |

 Appearance:- Mrs. Verrsha Phadke for applicant/Accused.
 Mr. Varma Ld. APP for State

ORDER BELOW EXH.11
(Date : 19 June, 2026)

1. Post framing of charge (Exh.19), applicant **Amit Mahesh Bharti** has applied for bail under section 483 Bhartiya Nagrik Suraksha Sanhita, 2023 ("BNSS") in connection with CR No. 1127/2024 registered with Kondhwa Police Station, Pune for the offences punishable under Sections 109, 352, 351(2),

3(5) of Bhartiya Nyaya Sanhita, 2023 (“BNS”) u/s. 37 (1) (3) r/w. 135 of Maharashtra Police Act and u/s. 4 (25).

2. The Investigation Officer through learned APP filed his say and opposed the prayer made therein.

3. I have heard the learned counsel for the applicant / accused No.2 and the learned APP for the State. Perused the record.

4. The applicant's counsel argued that this Court on 18/06/2026 framed charge against accused. The applicant since long, is in Jail, with no surety of completion of Trial in near future. The learned counsel further submitted that co-accused have been enlarged on bail either by this Court or by the Hon’ble High Court. Hence, the learned counsel claims bail on merits and on the parity.

5. *Per contra*, the learned APP submitted that the applicant is main accused who played vital role in commission of the crime. Learned APP further submitted that due to framing of charge now trial can be conducted in expedited manner. He then submitted that if the applicant is released on bail, there is every possibility of threatening the victim and other prosecution witnesses. Hence, learned APP claims rejection of the bail application.

6. It is pertinent to note that while adjudicating the bail applications of the applicant and his accomplices, the

predecessor Court observed that the applicant and co-accused Ganesh were the principal accused and had played a similar role, and accordingly rejected their prayer for bail. Bail was, however, granted to accused, Sushant Udanshu. During the pendency of the present proceedings, co-accused Ganesh has been enlarged on bail by the Hon'ble High Court.

7. The subsequent developments in the instant matter merit consideration. After dismissal of the first bail application, charge-sheet has been filed and the applicant has been in custody since 22.10.2024. On 18.06.2026, charges were framed and the matter is now fixed for deposit of muddemal and C.A. reports. The trial shall naturally take its own course. The injured/victim, who sustained injuries to the occipital region and back, has since been discharged after treatment and is now resuming his routine life. As such, there is no likelihood of escalation of the offence. No useful purpose would be served by keeping the applicant in custody for an indefinite period. The applicant is a permanent resident of Kondhwa, Pune and is gainfully employed, and shall therefore readily attend the trial. The apprehension expressed by the learned APP regarding threat to the victim or other witnesses can be adequately addressed by imposing stringent conditions at the time of releasing the applicant on bail. Thus, the applicant is entitled to bail both on the ground of parity and on merits. Hence, the following order is passed:

ORDER

1] Application (Exh.11) is allowed.

Applicant / accused **Amit Mahesh Bharati** be released on executing PRB and SB of Rs.25,000/- (Rupees Twenty Five thousand only) with one or more surety/ies in the like amount, in CR No. 1127/2024 registered with Kondhwa police station, Pune under Sections 109, 352, 351 (2), r/w. 3(5) of Bhartiya Nyaya Sahita, 2023, 37 (1) (3) r/w. 135 of Maharashtra Police Act and u/s. 4(25) Arms Act on following conditions :

- [i] The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.
- [ii] Applicant / accused shall attend before the court regularly and co-operate the court in expediting the trial.
- [iii] In case of two consecutive defaults on the part of applicant/ accused in complying operative clause-ii, the prosecution shall be

at liberty to apply for cancellation of bail.

- [iv] The applicant shall not tamper with the prosecution evidence in any manner.
 - [v] The applicant shall not repeat or commit any crime while on bail.
 - [vi] The applicant shall, within one week of his release on bail, furnish his complete residential address along with documentary proof thereof, and his mobile number, to the Investigating Officer.
- 2] Copy of the order be forwarded to the concerned police station and Jail Authority concern, through e-mail for information.
- 3] In terms of above, application (Exh.11) stands disposed.

(Dictated and pronounced in open Court.)

Date : 19/06/2026.

(S.B. Bhansali)
Additional Sessions Judge,
Pune

Certificate

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

Name of Steno. :- V. A. Chaudhari (Steno, Grade-I)

Court Name :- S. B. Bhansali
D.J.-4th & Addl. Sessions Judge, Pune.

Date :- 19.06.2026

order signed by PO. on :- 19.06.2026

order uploaded on :- 19.06.2026