

MHRT010000302026



IN THE COURT OF ADDITIONAL SESSIONS JUDGE, RATNAGIRI

(Presided over by A.M.Ambalkar, Addl. Sessions Judge, Ratnagiri)

Sessions Case No.02 Of 2026

State of Maharashtra,
Through, Inspector of Police,
Devrukh Police Station,
Tal. Sangameshwar, Dist. Ratnagiri.
Crime No. 104/2025.

Prosecution

Versus

Pranit Sanjay Dudhane

Accused

Order Below Exh. 12

(Dictated and delivered in open Court on 02/02/2026)

(1). Applicant / accused no.2 Rajesh Anant Nawale, in Crime No.104/2025; for the offences punishable under sections 309(4), 310(1), 311, 140(2), 127(2), 115(2), 351(2), 317(3) of the Bharatiya Nyaya Sanhita 2023, registered at Devrukh Police Station, Tal. Sangameshwar & Dist. Ratnagiri, filed this bail application U/Sec. 439 of Cr.P.C. for grant of regular bail.

(2). As per prosecution story, on 18/09/2025, the informant Shri. Dhanajay Gopal Ketkar lodged this report and thereby made allegations that during the night of 17/09/2025, at Devrukh-Sakharpa road, some persons kidnapped him and robbed him by taking away golden ornaments from his person.

(3). The detail story mentioned in the FIR is that the informant runs Jewelry shop. On 17/09/2025 at about 10:30 to 10:15, was returning to his Wadi from Sakharpa after celebrating birthday of his friend. He was proceeding by Kodgaon to Devrukh road. At about 10:30 to 10:45 pm, one White colour Ertiga car came from back side and it brushed to his car and stopped in front of his car. Then the driver of the said car came near his vehicle. At that time, informant was seeing as to whether there are any scratches to his car. More three persons alighted from car and they started to beat him and they forced him to sit in their car and they took him by their car by beating in the said car. Two persons were sitting on front seat. They beat him. The person sat on the back seat took away three golden chains. They forcibly took Rs.20,000/- net cash from his pant. After reaching at some place, they forcibly asked him to seat in another car. They covered his face by black cap. In that car, four other person were sitting. The name of one of them was Shambu which was uttered by other. They gave threats and asked as to how much amount, he may pay to them. The informant told that he can pay four to five lakh which was

in his house. Then they asked informant to call his house. They called to his daughter and told to her one person will come there and she shall pay Rs.5,00,000/- to that person. Thereafter 12:30 midnight, they dropped him at some place and went away. It was Watul bridge. After 15 to 20 minutes one police car was seen. He signaled the police vehicle. It stopped and thereafter he went to his village. As such all those persons robbed, committed dacoity and they had taken away Rs.20,000/- net cash and golden ornaments of Rs.16,20,000/-. Hence, the report.

(4). The report came to be lodged against total 10 unknown persons. During investigation, it revealed that accused no.1 and present applicant i.e., accused no.2 and accused no.12 have conspired with other accused and these three accused bought revolver from accused no.13 and other accused abducted the informant on the point of gun and they robbed him.

(5). As per the prosecution story, the accused no.1, accused no.2 and 12 are the main conspirators and there is sufficient evidence against them as regards to procuring revolver from accused no.13 Shubham from Nanded by transferring amount in his account. It is also submitted by prosecution that at the instance of accused no.12, said revolver has been recovered from the river and it has been seized. Hence, they have been arrested.

(6). Applicant submitted that he is innocent and has not committed any offence. The FIR has been lodged at belated stage and there is every possibility of manipulating and concoction and embezzlement in FIR. The present applicant came to be arrested by police on the basis of so called confession by co-accused. The police report clearly shows that firstly accused no.4 Deepak Rajesh Lohare and accused no.3 Vishal Manohar Aacharya came to be arrested on 23/09/2025 and on the basis of confession of these two accused the present applicant has been arrested. As such the arrest of applicant itself is illegal. There is no any nexus of present applicant with the alleged offence. In the FIR, there is no mention of any fire arm and I.O. shown the existence of such firearm by recording supplementary statement at belated stage. There is no independent witness to show connection of accused with the alleged offence. The applicant has been implicated in this case only on the basis of suspicion. The T.I. parade shown in the case is nothing but a farce by Investigating Officer in order to implicate the present applicant. There is no recovery at the instance of present applicant. Further custody of applicant is unwarranted. Investigation is completed and charge-sheet has been filed. There is no *prima facie* case against the present applicant. The present applicant/accused is behind the bars for considerable period. The applicant is having permanent residence within the Ratnagiri District. The applicant will abide by the conditions imposed by the Court. If Investigating Officer

finds breach of any condition, he may apply for cancellation of bail. Bail is rule and jail is exception. The family of applicant will suffer hardship, if applicant is kept behind the bars for uncertain period. The co-accused no.7 has been released on bail after filing of charge-sheet. Finally, it is prayed to allow the application.

(7). The Investigating Officer has filed his say at Exh.23 and strongly resisted the application. Investigating Officer submitted that the offence is of serious nature. There is strong evidence against the present applicant. The applicant and other co-accused conspired and committed the present offence. There is criminal history against the present applicant. Still some of the accused are absconding and they are yet to be arrested and investigation in that regard is in progress. If applicant is released on bail, he may create hurdle in the said investigation against absconding accused. The present applicant is involved in procuring gun from accused no.13. The tower location of mobile of present applicant shows his visit to Nanded. The accused no.1 and applicant/accused no.2 and accused no. 12, all were present at Nanded for procuring revolver. The amount transferred in the account of accused no.13 also established this act. Accused no.13 has also been arrested. The present applicant is involved in the conspiracy since beginning and other accused executed the plan. The present applicant has been identified by witness and informant in T.I. parade. The

applicant is resident of Bhadkamba which is at the distance of 50 Km from Devrukh where the informant resides. Therefore there is every possibility of giving threats or pressurizing or inducing informant or witnesses. Finally, it is prayed to reject the application.

(8). Heard learned Advocate Shri. P. P. Nene extensively for the applicant and learned APP Shri. P. S. Shetye for the State.

(9). Ld. APP Shri. P. S. Shetye for the State relied upon following judgments.

1. Aashish Yadav Vs. Yashpal & Ors., 2026 ALL SCR (Cri) 117
2. Virupakshappa Gouda & Anr., Vs. The State of Karnataka & Anr., 2017 ALL SCR (Cri) 843.
3. Ash Mohammad Vs. Shiv Raj Singh @ Lalla Babu & Anr., 20124 ALL MR(Cri) 3756(S.C.)
4. Mohammad Rafi @ Ravikanth Shankarappa Patil Vs. State of Maharashtra, 1999 ALL MR (Cri) 1565

(10). Learned Advocate Shri. P. P. Nene for the applicant relied upon following judgments.

1. Satender Kumar Antil Vs. Central Bureau of Investigation & anr., 2022 LiveLaw (SC) 577
2. Sanjay Chandra Vs. CBI, 2011 ALL SCR 2930
3. P Krishna Mohan Reddy Vs. The State of Andhra Pradesh,

2025 LiveLaw (SC) 598

4. Madhav Manikrao Dhande Vs. State, 2012 ALL MR (Cri) 2473
5. Rekha Papya Kale Vs. The State of Maharashtra, 2012 ALL MR (Cri) 67
6. Shri. Tarkeshwar Goraknath Pandey Vs. State of Maharashtra, 2011 ALL MR (Cri) 1608
7. Pradeep Shivaji Shinare Vs. The State of Maharashtra, 2013 ALL MR (Cri) 1317
8. Janu @ Billa Malappa Pawar Vs. State of Maharashtra, 2006 ALL MR (Cri) 2577
9. Shrinivas @ Sinu Ganji Vs. The State of Maharashtra, 2021 ALL MR (Cri) 4463

(11). Learned advocate Shri. P. P. Nene vehemently submitted that if charge-sheet is gone through, there appears so many lapses in the investigation and so many places in record which create serious doubts as regards to involvement of present applicant in the alleged offence. He is not having any concern with other accused and alleged offence. There is no *prima facie* case against the present applicant. Mere giving chart of crime numbers to show criminal history of applicant is not sufficient to show the antecedents of applicant. Learned advocate Shri. P. P. Nene invited my attention towards various station diary entries and the statement of witnesses and submitted that this much evidence in charge-sheet can never be said to be sufficient to

show nexus of present applicant with alleged offence. The applicant is ready to abide condition imposed by the Court and if prosecution finds any breach of condition imposed, the prosecution is at liberty to apply for cancellation of bail. He prayed to allow the application.

(12). Learned APP Shri. Shetye vehemently submitted that the offence is of dacoity. Informant is the owner of jewelry shop at Devrukh. The material collected by Investigating Officer clearly shows that the applicant and other co-accused have systematically planned and procured the weapon and other accused executed the said plan which was conspired by the present applicant with other accused. The tower location of mobile of present applicant and other two accused clearly established the material fact that since beginning, this applicant with other co-accused are the master mind and they have planned to commit this offence. The offence has been committed during night on the Devrukh Sakharpa road. The gold has been recovered from co-accused. The gun has been recovered at the instance of accused no.12 who is companion of present applicant. As such, there is grave suspicion against present applicant about involvement in the present matter. Some of the accused are yet to be arrested and their search is being taken by the Investigating Officer. If the applicant is released on bail, there is grave apprehension of threats or

pressure to informant or other witnesses. He prayed to reject the bail.

(13). On perusal of record, it appears that the present applicant has been arrested on 25/09/2025. The charge-sheet has been filed against accused who have been arrested. Still some of the accused are absconding. The nature of offence is serious one i.e., dacoity during night on the internal road which connect to Ratnagiri-Kolhapur highway from Devrukh. Weapon like gun has been used in the present matter. The material collected by Investigating Officer as regards to present applicant with other co-accused at Nanded for procuring gun can be said to be *prima facie* sufficient to raise grave suspicion against the present applicant. As far as so called lapses in the investigation are concerned, it cannot be scrutinized at this stage. The material on record clearly indicates *prima facie* involvement of the applicant in the present offence. In such circumstances, the applicant cannot be said to be entitled to grant of regular bail when some of the accused are yet to be arrested. Hence, I proceed to pass following order.

ORDER

1. Application (Exh.12) stands rejected.
2. Inform the concerned accordingly.

Date :- 02/02/2026.

(A. M. Ambalkar)
Additional Sessions Judge, Ratnagiri

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

Case Number		Sessions Case No.02/2026 (Exh.13)
Name of Stenographer	:-	Shri. Rajesh G. Rahate
Name of Court	:-	Addl. Sessions Judge, Ratnagiri
Date of Dictation	:-	02.02.2026
Order signed by the P.O. on	:-	02.02.2026
Order uploaded on	:-	04.02.2026