

SESSIONS CASE NO. 24-2023
CNR No. MHRT010000732025.

The State

Prosecution

Versus

Sharanappa Hanchalappa Hosegiri

Accused

Order Below Exh. 27
(Dated 01.01.2026)

1. Applicant/Accused Sharanappa Hanchalappa Hosegiri, filed this application U/Sec. 483 of B.N.S.S. for grant of regular bail in Crime No. 110/2023 of Ratnagiri city police station; for the offences punishable under Sections 302 and 504 of the Indian Penal Code.

2. As per the prosecution case the deceased Paigambar Nadaf was working as Manager on 'Durga Prasad' boat owned by Rajan Rathod. On 06.05.2023 as the work of painting of the boat was to be done, the boat was tied in "Pandhara Samudra" area. At about 9.00 a.m. Paigambar Nadaf had arrived at said boat for said painting work. After completing of the painting work the boat came to be brought at "Samina Jetty (No.2)" of the 'Mirkarwada' harbour at about 4.00 p.m. As the painting work of bow (Nali) of the boat was

required to be done, said Paigambar tried to paint the same by getting inside a Dingi (Small boat). However the painting work of Paigambar was not possible due to the 'Bharadi Prasad' boat which was tied near by 'Durga Prasad' Boat. The said Paigambar requested the Tandel of 'Bharadi Prasad' boat to loosen the rope by which the boat was tied. However said Tandel i.e. applicant/accused did not loosen the rope, therefore, Paigambar himself loosen the rope and moved said 'Bharadi Prasad' boat backwards. Thereafter Paigambar get inside the dingi for painting work. The applicant/accused Sharannpa Hanchallpa Hosegiri got enraged due to loosing of rope of said boat and he picked up one rod (bracket) from his boat and hit the same on the head of Paigambar. Blood started oozing from the head of Paigambar due to said assault. He was admitted in the hospital. Later on he succumbed to the injuries.

3. Ld. Chief LADC Shri. U. U. Mulye submitted that the applicant/accused is in custody since 15.05.2023, due to death of the deceased/ informant subsequent to grant of bail to the applicant. There is nobody to look after his family. He is in custody for more than 2 years and 6 months. He is ready to abide by the terms and conditions imposed at the time of granting of bail. That only four witnesses have been

examined so far. The prosecution has submitted list of 29 witnesses. Therefore, it will take much more time to conclude the trial. Hence, the accused may be enlarged on bail.

4. On the other hand, Ld. Public Prosecutor Shri. A. A. Fansekar submitted that the offence is serious. The applicant is not local residence. If he be enlarged on bail, there is possibility of tampering with evidence and prosecution witnesses. The offence is punishable with capital sentences. The prosecution may not examined all 29 witnesses, but material witnesses could be examined within four months from today. In these circumstances, the application may be rejected.

5. From the record it appears that as on today the prosecution has examined 5 witnesses out of total 29 witnesses. The offence is serious in nature and punishable with capital sentences. No doubt, speedy trial is right of the accused, however, at the same time the rights of victim and the society are also required to be balanced. The possibility of pressurizing the witnesses and tampering with evidence also required to be taken into consideration. In these circumstances, the applicant is not entitled for bail.

6. At the same time the prosecution is ready to conclude the recording of evidence within 4 months from today. In these circumstances, the applicant can be permitted to renew his prayer of bail if the trial would not be completed on or before 30th April, 2026. Hence, I pass following order.

ORDER

1. Application Exh. 27 is rejected.
2. The applicant is at liberty to renew the prayer for bail, if the trial would not be completed on or before 30 April 2026.
3. Inform the concerned accordingly.

Date :- 01.01.2026

(V. Y. Jadhav)
Sessions Judge, Ratnagiri.