

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

The State

Prosecution

Versus

Sharanappa Hanchalappa Hosegiri

Accused

Order Below Exh. 42
(Dated 14.05.2026)

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. Previously he has made application for bail and while deciding the same on 01.01.2026 this Court granted liberty to the applicant to renew prayer for bail if trial would not be completed on or before 30.04.2026. That the applicant is in custody for last 2 years 11 months. There is good case on merits. There

is only assault by iron road on head and back of the deceased. Till today only six witnesses have been examined and prosecution has submitted list of 29 witnesses. In these circumstances, the trial may not conclude in near future. Hence, he may enlarged on bail on appropriate conditions.

4. On the other hand Ld. APP submitted that there are allegations against the accused and his earlier bail application was rejected on merits. There is no change in the circumstances. The applicant is resident of Gulbarga. Therefore, if enlarged on bail it would be difficult to secure his presence for trial. He has committed brutal murder. Moreover, the prosecution may not examine all 29 witnesses, but only material witnesses may be examined. Hence, the application may be rejected.

5. No doubt, the prosecution has not completed recording of evidence within period stipulated in the previous order. However, the offence is serious and punishable with capital sentences. Ld. APP submitted that he will make an endeavour to conclude the recording of evidence within three months from today or at the most by the end of August 2026.

6. In these circumstances, considering the nature of offence, as well as possibility of pressurizing the witnesses and tampering the evidence, so also aspect of securing presence of accused, the application is required to be rejected by directing the prosecution to take steps for examination of remaining witnesses. In these circumstances, the applicant can be permitted to renew his prayer for bail if the recording of evidence would not be completed on or before 30th August, 2026. Hence, I pass following order.

ORDER

1. Application Exh. 42 is rejected.
2. The applicant is at liberty to renew the prayer for bail, if the recording of evidence would not be completed on or before 30th August, 2026.
3. Inform the concerned accordingly.

Date :- 14.05.2026

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