

161IN THE COURT OF ADDL. SESSIONS JUDGE, SOLAPUR
(Presided over by Suraj V. Kendre)



Criminal Bail Application No.161/2026
Santosh Sitaram Phalphale Vs. State
(CNR No. MHSO010005222026)

Order Passed Below Exh.1

1. This application is filed by applicant namely **Santosh Sitaram Phalphale** for grant of bail under Section 482 of The Bharatiya Nagarik Suraksha Sanhita, 2023 in Crime No. 8 of 2025 registered at Kamati Police Station for offences punishable under sections 74, 76, 115 (2), 189 (2), 190, 191 (2), 352, 351(2) & 351(3) of Bharatiya Nyaya Sanhita, 2023.
2. As per the contents of the bail application and oral argument, it is the case of the applicant that, report is lodged vide Crime No. 08/2025 registered at Kamati Police Station for aforesaid offences. It is the case of the applicant that, he is innocent and has not committed any offence. Investigation is practically completed. Nothing is to be recovered or discovered from him. His custodial interrogation is not required. He has no criminal background. He will not hamper or tamper with the prosecution witnesses. He is ready to follow the terms and conditions of the bail. Therefore, he may be released on bail.
3. The IO and Ld. A.P.P. filed say and opposed the

application. As per the contents of say and oral arguments, it is the case of prosecution that, nature of offence is very serious. The active involvement of the applicant in commission of offence is prima facie seen. The alleged offence is squarely applicable to applicant. There is strong evidence against applicant. The custodial interrogation of the applicant is necessary to trace out co-accused, to seize motorcycles used in commission of offence, for further detail investigation and interrogation of present crime. Under such circumstances, if applicant is released on bail, then he will abscond. He will bring pressure on informant and prosecution witnesses. He will not remain present before the Court during trial. Possibility of committing similar type of offence at the hands of applicant cannot be ruled out. His name and role is mentioned in F.I.R. Therefore, the present application may be rejected.

4. Heard both sides at length. Perused report and case diary. It prima facie appears from the report dated 09/01/2025 that family of informant is having ancestral agricultural land bearing Gat No.72/1, 72/2/D situated at village Yenaki, Taluka Mohol. On 04/01/2025 she and her brother-in-law's wife Laxmi were present in the house situated in their land. At about 12.30 pm two four wheeler vehicles and four motorcycles carrying 20-25 persons came there. They started measurement of the land. The informant asked them as to why they are measuring the land. At that time one of the said persons asked her as to who

she is. The informant replied that she is owner of the land. The said person started abusing her and continued to measure the land. The informant objected to the same, but the said persons started abusing her though she asked them to wait till arrival of male member of her family. The said persons pushed her, pulled her saree and torn her blouse. Therefore, she went inside the house and after arrival of her husband, disclosed the incident to him. The informant's husband called his brother and nephew. The said persons started scuffling with the in-laws of the informant and assaulted them. They also forcefully made her cousin brother in law to sit in the vehicle No. MH-46/Z-0100, assaulted him and brought to the police station. Thereat she came to know names of assailants i.e. the applicants. After arrival of the police station, the other co-accused threatened to drive the informant and her family member out of their house with household articles. Therefore, FIR is lodged.

5. Prima facie, as per the FIR, the allegations of hurling abuses, outraging modesty and assault are made against 20-25 unknown persons. No specific role is attributed against the applicant. There is agricultural dispute between both the parties. Both have filed civil matters against each other. Charge sheet has been filed in this crime. Nothing is to be seized from the applicant. Therefore, custodial interrogation of the present applicant is not required. The applicant is not having any criminal background. Hence, present application deserves to be

allowed. Resultantly, following order is passed.

ORDER

1. Anticipatory bail application is allowed.
 2. In the event of arrest of applicant **Santosh Sitaram Phalphale**, he be released on executing P.B. and S.B. of Rs. 20,000/- (Rupees Twenty Thousand only) in Crime No. 08/2025 registered at Kamati police station for the offences punishable under section 74, 76, 115 (2), 189 (2), 190, 191 (2), 352, 351(2) & 351(3) of Bharatiya Nyaya Sanhita, 2023 on following conditions :-
 - (i) The applicant shall not commit any offence in future.
 - (ii) The applicant shall not threaten, influence or pressurize the witnesses.
- (Dictated and pronounced in open court).

(Suraj V. Kendre)
Additional Sessions Judge,
Solapur.

Date : 06/04/2026

CERTIFICATE

I affirm that the contents of this PDF file Judgment are same word to word as per the original Judgment/Order.

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| (a) | Name of the Stenographer | : Kore Mahesh Arjun, Stenographer (Grade-I) |
| (b) | Court | : Adhoc District Judge-1 Solapur. |
| (c) | Date of Judgment | : 06/04/2026 |
| (d) | Order signed by the
Presiding Officer on | : 06/04/2026 |
| (e) | Order uploaded on | : 06/04/2026 |