

(CNR:MHSO010012342025)

Sessions Case No. 84/2025

The State of Maharashtra

Vs.

Prasad Londhe + 8

[Vijapur Naka Police Station,

CR No. 447/2024]

Order Below Exh.12

01. This is a bail application by accused No. 7 **Arjun @ Banti Ramesh Kamble** for seeking regular bail under Section 483 of BNSS, in connection with the offenses punishable under Sections 103(1), 189(2), 189(4), 191(1), 191(2), 191(3), 190, 324(3)(4), 352, 351(2)(3), 61(2), 119(1) of BNS, Sections 4, 25 of Arms Act and Section 135 of Maharashtra Police Act registered with Vijapur Naka Police Station, Solapur vide CR No. 447/2024.

02. Heard both sides. Learned advocate for applicant / accused submitted that, the investigation of the offense is completed and charge-sheet is filed. There is unexplained delay in filing of complaint. The accused is falsely implicated in the present case. The deceased was admitted in the hospital with history of road traffic accident and therefore, cooked up afterthought story of crime. This accused never participated in the offense. His name is not mentioned in the FIR and additional statement of witnesses. Learned advocate has drawn my attention to the order passed by Hon'ble High Court in Criminal Bail Application No. 1231 of 2025 dated 11.03.2026 in which Hon'ble High Court has released one of

the accused Audumbar Kale on bail. Hon'ble High Court exercised its discretion observing that prima facie the evidence indicates that the case is of accident, in the wake of history narrated while admitting deceased in the hospital and there is unexplained delay in lodging report. Learned advocate also relied on the observations in Criminal Bail Application No. 3411 of 2025. He prayed to enlarge the accused on bail. He also relied on the order passed by this Court below Exh.23, 36 & 56.

03. On the contrary, learned APP submitted that the offense is very serious in nature, non-bailable and punishable with death or life imprisonment. Present accused is habitual offender. Accused is directly involved in the commission of offense. It is further submitted that, if he is released on bail, the possibility of fleeing away and tampering with prosecution evidence and witnesses cannot be ruled out. Accused pressurized the informant's relatives to settle the case. Other accused persons are still absconding. The prosecution is ready to conduct the matter as early as possible. Filing of charge-sheet cannot be the ground to release the accused on bail. He relied on the observations in the case of **Virupakshappa Gouda & Anr. Vs State of Karnataka & Anr., Cri. Appeal No. 601/2017**. Lastly, he requested to reject the application.

04. I have gone through the record. The FIR reveals that, incident was occurred on 04.10.2024. The present accused was arrested on 28.10.2024. The charge is framed in this case, but no further progress. The Hon'ble High Court has enlarged the accused namely, Audumbar Kale and Shrinivas Mane on bail. It is observed

by the Hon'ble High court that, prima facie it is a case of accident and there is unexplained delay in lodging FIR. I am prima facie agree with the submissions of learned advocate for the accused that, considering the contents in FIR, it is a case of accident and later on, it is improved version of the complainant and witnesses. The name of present applicant is not mentioned in the FIR as well as statement of complainant dated 05.10.2024. The statement of complainant dated 05.10.2024 indicates that, he came to know about the accident of his son and admitted in the hospital. The MLC papers prima facie indicates that, there is history of accident and the patient was conscious and oriented. The intimation was given by the hospital to the police, which shows that as per history the patient was met with an accident due to slip of his two wheeler and sustained head injury. He was conscious at the time of admission. All such record prima facie indicates that, it is a case of an accident as well as there is an unexplained delay in lodging FIR. I have to state here that, all these are prima facie observations while considering the present application.

05. The accused is in jail since long and there is no progress in hearing after framing the charge. I have gone through the citation relied on by learned APP. In **Virupakshappa Gouda & Anr. Vs. State of Karnataka & Anr. (Criminal Appeal No. 601/2017)**, Hon'ble Supreme Court ruled that the mere filing of a charge-sheet does not constitute a valid "change in circumstance" to justify granting bail. In the instant case, in charge-sheet itself present application is filed. It cannot constitute as change in circumstances because this is first bail application filed by the accused. The ratio

laid down in the above cited case is not applicable. Other factors, as discussed above, are necessary to be considered while deciding the bail application.

06. After going through the record, I hold that since long the accused is in jail and disposal of matter will take its own time. It is necessary to enlarge the accused on bail by imposing certain conditions. In the result, I proceed to pass following order.

ORDER

01. Bail Application Exh.12 is hereby allowed.
02. The applicant/accused **Arjun @ Banti Ramesh Kamble** is enlarged on regular bail in connection with Crime No.447/2024 registered with Vijapur Naka Police Station, Solapur for the offenses punishable under Sections 103(1), 189(2), 189(4), 191(1), 191(2), 191(3), 190, 324(3)(4), 352, 351(2)(3), 61(2), 119(1) of BNS, Sections 4, 25 of Arms Act and Section 135 of Mumbai Police Act on furnishing his PR Bond of Rs. 1,00,000/-(Rupees One Lakh only) with one or two sureties in the like amount.
03. The accused is directed not to contact the complainant and witnesses involved in the case and not to pressurize the witnesses.

04. The accused to submit his recent address and mobile number to the Investigating Officer and attend trial on each and every date unless exempted by the Court.
05. Application is disposed of

Date : 15.05.2026

(D. N. Surwase)
Additional Sessions Judge,
Solapur.

CERTIFICATE

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

Name of Stenographer - Nagesh N. Konda (Stenographer Grade - I)

Court - Additional Sessions Judge, Solapur.

Date of order / Judgment - 15.05.2026

Date of order/Judgment - 15.05.2026
signed by presiding officer.

Judgment/Order uploaded - 15.05.2026
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