

MHST190000962026



IN THE COURT OF ADDITIONAL SESSIONS
JUDGE, WAI
CRIMINAL BAIL APPLICATION NO. 30 OF 2026

Rushikesh Vijay Rananavare
 Age- 26 years, Occ. Worker,
 Resident at Bajar Peth, Shirwal,
 Tq. Khandala, District- Satara.

... Applicant

..Versus..

State of Maharashtra
 (through APP. Wai,
 PI. Police Station, Shirwal.)

... Non-applicant

Structured framework as per Order of the Hon'ble Supreme Court of India in Cr. Appeal No.825 of 2026 Arising out of SLP (Cri.) No.12669 of 2025) in Zeba Khan Vs. State of U.P

(A) CASE DETAILS

FIR No. & Date	C.R.No.322/2025 dated 17.09.2025
Police Station District & State	Shirwal Police Station, Taluka Khandala, District Satara, State- Maharashtra.
Section invoked	109, 3(5), 61(2) & 238 Bhartiya Nyaya Sanhita, 2023 & S.3/25 of Arms Act.
Maximum Punishment prescribed	Ten years or Imprisonment for life.

(B) CUSTODY & PROCEDURAL COMPLIANCE

	Date of Arrest	02.02.2026
	Total period of custody undergone	1 Month
(C) STATUS OF TRIAL		
	Stage of proceeding (Investigation / Charge-sheet / Cognizance / Framing of Charges / Trial	Charge-sheet
	Total number of witnesses cited in the charge-sheet.	NA
	Number of prosecution witnesses examined	NA
(D) CRIMINAL ANTECEDENTS		
	FIR No & Police Station	
	Status (Pending / Acquitted / Convicted)	--
(E) PREVIOUS BAIL APPLICATIONS		
	Court	NA
	Case No.	NA
	Outcome of case	NA
(F) COERCIVE PROCESSES		
	Whether any Non-	NA

	Bailable Warrant was issued	
	Whether declared as proclaimed offender	NA

ORDER BELOW EXH.1

(Passed on this 18.03.2026)

1] The applicant-accused Rushikesh Vijay Rananavare has filed this application under Section 483 of the Bhartiya Nagrik Suraksha Sanhita, 2023 (for short 'B.N.S.S.') for regular bail, in connection with Crime No. 322/2025 registered with Police Station, Shirval for the offences punishable under Sections 109, 3(5), 61(2) & 238 of Bhartiya Nyaya Sanhita, 2023 & Section 3 read with Section 25 of Arms Act.

2] It is contended that the applicant-accused is not concerned with the alleged crime. He has been falsely implicated in the said crime. He is innocent. He has no criminal antecedent. He is ready to obey the conditions, which would be imposed while enlarging him on bail. Hence, this application.

3] The Investigation Officer filed reply vide **Exh.6** and resisted this application by contending that the applicant-accused and co-accused have committed serious offence of attempt to commit murder of the informant by firing two rounds from pistol. The applicant-accused is involved in the commission of offence of making false documents i.e. the charge-sheet has been filed against him under Section 335 of BNS, 2023. The applicant-accused and co-accused no.3 have purchased pistol and the

live cartridges from accused no.8. They had also tested the said pistol by firing one round. The applicant-accused has criminal antecedents. After the incident, he was absconding. If he is enlarged on bail, then there is possibility of threatening prosecution witnesses. So, urged to reject the application.

4] The defacto Informant filed reply vide **Exh.6** and resisted this application by contending that the applicant-accused has hatched conspiracy with co-accused. The co-accused no.2 has fired two bullet rounds at him with intention to commit his murder and attempted to commit murder. So, urged to reject the application.

5] Heard the Ld. Advocate appearing for the applicant/accused Shri H.B.Dhaygude, Ld. Addl. PP. Shri M.U.Shinde for the prosecution. Gone through the material on record.

6] On perusal of F.I.R., it appears that the defacto informant Riyaj Iqbal Shaikh has lodged FIR by contending that on 21.11.2016 Pratik Vijay Chavan R/o. Shirval was murdered. He and his friend Aasif Mujavar are the accused and they are facing trial in the said matter. By keeping grudge of the said incident, Sai Dhumal, Avinash More, Rocky Bala, Sunny Tapare and Rohan Gujar, all R/o. Shirval, they all were always making revenge gesture, whenever the informant used to come in the Court to attend the dates of the said matter. On 16.09.2025 at or about 4.30 p.m., Avinash More and Rocky Bala on one motorcycle, Sunny

Tapare on one motorcycle and Rohan Gujar on one motorcycle were moving and crossing the defacto informant on motorcycles 2-3 times. Thereafter, at or about 5.30 p.m., while the informant was near Chavadi Chowk, Shirwal, at that time, two persons came on motorcycle. Sai Dhumal was riding that motorcycle and Akshay @ Prem Vasagadekar was the pillion rider. They came at him and the pillion rider fired round from pistol towards the informant. The informant sustained injury to his right hand. While said Akshay @ Prem was loading pistol for second round, that time, he quickly rushed at him, pushed that person on motorcycle and ran towards Chavadi Chowk. The assailant Vasagadekar followed him and fired second round, but it was mis-fired. Then the informant ran into the shop of Sanjay Jagtap to save life. Thereafter, the person known to him in the said shop went outside the shop and after satisfaction that there is nobody, the informant came on road and by seeing police personnel, he went to the Police Station and lodged report.

7] From perusal of entire allegations in the FIR, it appears that the name of the applicant-accused is nowhere mentioned in the FIR. Further, it appears that the applicant-accused was not present at the spot of alleged incident. During investigation, it was transpired that the co-accused no.3 and the present applicant-accused have purchased pistol from co-accused no.8 and made it available to the co-accused no.2. This is the only role of the applicant-accused in the alleged incident. The applicant-accused has not taken any active participation or part in the alleged crime.

8] The informant has relied upon the judgment of the Hon'ble Apex Court in the case of **Nitya Nand – Versus – State of U.P. & ANR., Criminal Appeal No. 1348 of 2014**, wherein it is held that, no overt act is required to be imputed to a particular person when the charge is under Section 149 of IPC; the presence of the accused as part of the unlawful assembly is sufficient for conviction. The informant also relied upon the judgment of the Hon'ble Apex Court in the case of **Munnesh versus State of Uttar Pradesh, 2025 LiveLaw (SC) 389**, wherein it is held that disclosure of criminal antecedents is mandatory.

9] There is no doubt about the law laid down by the Hon'ble Apex Court in the above cited case laws. However, it is pertinent to note that this is a pre-trial stage. Investigation is over and charge-sheet has been filed. According to the Investigating Officer, he has filed charge-sheet against applicant-accused under Section 335 of BNSS, 2023. The role of the applicant-accused in the alleged incident is only about participation in purchasing alleged pistol from the accused no.8 and to provide it to the accused no.2. He was not present at the spot of incident. Further, the applicant-accused was not involved in earlier criminal case i.e. the case of murder of one Pratik Vijay Chavan in Shirwal either in the capacity as a witness or as an accused. In such facts and circumstances of the matter, it is not proper to keep accused behind the bar for indefinite period. Hence, following order.

ORDER

1. Application is hereby allowed.

2. The applicant/accused **Rushikesh Vijay Rananavare** be enlarged on bail on execution of PR. Bond of **Rs.1,00,000/-** (Rupees One Lakh Only) with solvent surety in the like amount, in connection with **Crime No.322/2025** registered with **Shirwal Police Station**, on following conditions;
 - (a) The applicant-accused shall not leave India without prior permission of this Court.
 - (b) The Applicant-accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any other police officer or tamper with the evidence.
3. He shall not tamper with the prosecution evidence and shall not contact prosecution witnesses.
4. Breach of any of the condition shall be the ground for cancellation of bail.
5. Bail before learned J.M.F.C., Khandala.

(Dictated and pronounced in open Court.)

Wai
Date: 18.03.2026

(D.B.Mane)
Addl. Sessions Judge, Wai.