

Harish

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 149 OF 2025**

Rajesh Maruti Kapase	Applicant
Vs.	
The State of Maharashtra	Respondent

HARISH
VITHAL
CHAUDHARI

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by HARISH
VITHAL
CHAUDHARI
Date:
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Mr. Hrishikesh Shinde for the applicant
Mr. S. S. Chaudhari APP for the State.
API Shriganesh Kavitate, Solapur City Police Station.

CORAM : SHIVKUMAR DIGE, J.

DATE : 17th SEPTEMBER 2025

P.C.:

1. Applicant is apprehending his arrest in Crime No. 523/2024 registered with Jail Road Police Station, Solapur, District: Solapur for the offences punishable under Sections 3(5), 316(2), 316(5), 318(4) of Bhartiya Nyay Sanhita, 2023 (for short "BNS").
2. It is the prosecution's case that the applicant was working as In-charge Manager in the Government Polytechnic College, Solapur. The powers of the principal of said college were withdrawn by the government. The applicant was aware about it, inspite of that the applicant countersigned with the signature

of accused no. 1-principal of the college and distributed the amount to the employees of the said college.

3. It is the contention of learned counsel for the applicant that the co-accused Anant Jadhav, against whom the same allegations are leveled like the applicant, has been released on bail by this Court (Coram : N. R. Borkar J.). Hence, the applicant is entitled for bail on the principle of parity. The applicant has deposited the amount of Rs. 95,720/- in Government Polytechnic College. Hence, requested to allow the application.

4. It is the contention of learned APP that the applicant was aware about the withdrawal of power of the principal. Inspite of that he compelled the co-accused to bring the cheque book and forced him to sign on it and he also counter signed on it. It shows the involvement of the applicant in the crime. Considering the allegations against the applicant, his custodial interrogation is required and requested to reject the application.

5. I have heard both the learned counsel. Perused the FIR and documents produced on record.

6. The co-accused Anant Jadhav, against whom same

allegations are leveled, has been released on bail by this Court. The said order has not been challenged. The main allegations are against the principal of the said college. Considering this fact, custodial interrogation of the applicant is not required.

7. Considering these facts, I pass following order:

ORDER

- I. Application is allowed.
 - II. In the event of arrest, applicant be enlarged on bail in Crime No. 523/2024 registered with Jail Road Police Station, Solapur, District: Solapur on furnishing PR. Bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.
 - III. The applicant shall attend the concerned police station as and when required.
 - IV. The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.
8. Application is allowed in the aforesaid terms and is accordingly disposed of.
9. It is made clear that the above observations are made only

for the purpose of granting bail and the trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the observations made in this order.

10. All concerned to act on authenticated copy of this order.

[SHIVKUMAR DIGE, J.]