

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 481 OF 2025

Shivaji Gorakh Patil And Anr. Applicants

Versus

The State of Maharashtra Respondent

WITH

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 482 OF 2025

Rajendra Shivaji Patil And Ors. Applicants

Versus

The State of Maharashtra Respondent

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Mr. Viresh Purwant i/b Mr. Ashutosh M Purwant, Advocate for the Applicants.

Mr. A. S. Shalgaonkar, A.P.P., for the Respondent – State.

Mr. Mithilesh Mishra, Advocate for the Original Complainant.

CORAM : SHIVKUMAR DIGE, J.

DATE : 6th OCTOBER, 2025.

P.C. :

1. By these applications, the Applicants are praying anticipatory bail in same crime number. Hence, I am deciding both these applications by this common order.

2. The Applicants are apprehending arrest in C.R. No.767 of

2024 registered with Tembhurni Police Station, Solapur, for the offences punishable under Sections 118(2), 119(1), 115(2), 287, 324(4), 352, 351(3), 189(2), 191(2), 191(3), 190 & 109 of the Bharatiya Nyaya Sanhita, 2023 (for short, “BNS Act”) and Section 135 of the Maharashtra Police Act, 1951.

3. It is prosecution’s case that on 15th December, 2024 around 1:30 p.m.. The Applicants and co-accused assaulted the first informant and family members of the first informant on the ground of land dispute. Due to said assault, the first informant and his family members are seriously injured.

4. It is contention of learned counsel for the Applicants that there was cross complaint’s filed by the Applicants and first informant against each other. Now matter is settled out of the Court between them. Hence, their custodial interrogation is not required and they will co-operate with the investigation. Hence, requested to allow the application.

5. It is contention of learned APP that the Applicants have assaulted the first informant and his family members with sharp weapons. Due to said assault, the first informant and his family members are seriously injured. Considering allegations against the

Applicants, their custodial interrogation is required, and requested to reject the application.

6. It is contention of Mr. Mithilesh Mishra, the learned counsel for first informant that matter is settled out of the Court between the Applicants and first informant and he has no objection to allow the applications.

7. I have heard all learned counsels and perused F.I.R.

8. It appears from record that Applicants and first informant have filed cross complaint against each other stating that they have been assaulted by the opposite party.

9. It is contention of learned counsel for the Applicants and learned counsel for first informant that complaints were filed due to misunderstanding. Considering these facts, I pass following order:

ORDER

- i. The Applications are allowed.
- ii. In the event of arrest, the Applicants be enlarged on bail in connection with C.R. No.767 of 2024 registered with Tembhurni Police Station, Solapur, on executing P. R. Bond to the extent of Rs.20,000/- each with two or more sureties

each of the like amount.

- iii. The Applicants shall mark their attendance at the concerned police station as and when required.
- iv. The Applicants shall not contact and/or threaten/influence any witnesses in the present crime.
- v. The trial Court shall not be influenced by the observations made in this order and shall decide the matter on its own merits and in accordance with law.

10. In view of the above, the applications are allowed and disposed off.

11. All the concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)