

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

CRIMINAL BAIL APPLICATION NO. 1304 OF 2025

1. Popat Balwant Kadam
2. Balbhim Vishnu Kadam ...Applicants

VERSUS

The State of Maharashtra ...Respondent

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Mr. Shekhar Ingawale, Advocate for the Applicants.

Ms. Veera Shinde, A.P.P. for the Respondent – State.

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CORAM : N. R. BORKAR, J.
DATE : 28.04.2025.

P.C.:

1. This is an application for regular bail.
2. The applicants came to be arrested in Crime No. 46 of 2025 registered at Velapur Police Station, Dist- Solapur for the offences punishable under Sections 109, 118(2), 189(2), 191(2), 191(3), 190, 115(2), 353, 351(2), & 351(3) of the Bhartiya Nyaya Sanhita, 2023.
3. The present applicants are accused No. 2 and 4 in the aforesaid crime. There was a land dispute between the accused No.1 and the complainant. It is alleged that on the date of incident, which took place on 11.02.2025, the complainant objected to act of the accused No.1 of bringing JCB in disputed land. It is alleged that the

accused No.1 got annoyed and he alongwith the present applicant and other co-accused assaulted the complainant by knife etc. and attempted to commit his murder.

4. I have heard the learned counsel for the applicants and the learned APP for the respondent/State.

5. The learned counsel for the applicants submits that the applicants have nothing to do with the alleged dispute between the complainant and accused No.1. It is submitted that omnibus allegations are made against the applicants. The learned counsel for the applicants submits that the applicants are in jail for two months.

6. On the other hand, the learned APP for the Respondent/State submits that specific overt act is attributed to the present applicants. It is submitted that the applicants are involved in one more crime. It is thus submitted that the applicants may not be released on bail.

7. I have perused the statement of complainant/injured. The motive for the alleged crime is attributed to the accused No.1. According to him present applicants assaulted him by fist and kick blows. Considering the said facts, I am inclined to release the applicants on bail. In the result, the following order is passed:

ORDER

A] The Application is allowed.

B] The applicants be released on bail in Crime No. 46 of 2025 registered at Velapur

Police Station, Dist- Solapur for the offences punishable under Sections 109, 118(2), 189(2), 191(2), 191(3), 190, 115(2), 353, 351(2), & 351(3) of the Bhartiya Nyaya Sanhita, 2023, on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) each with one or two sureties in the like amount.

B] The applicants shall not enter into the limits of village Kholve for a period of six months.

8. Application stands disposed of accordingly.

(N. R. BORKAR, J.)