

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

Anticipatory Bail Application No.1293 of 2025

Mohan Bhanudas Bhadkumbe
Age: 42 yrs, Occ: Social Worker
R/o Ganjegaon, Akole, Mandrup,
Dist. Solapur.

... Applicant.

Vs.

The State of Maharashtra
(through Mandrup Police
Station, Dist. Solapur
ct No.63/2025)

... Respondent.

Mr Ritesh Thobde a/w Changdev Shingade for the
applicant.

Mr SV Walve, APP for the respondent / State.

Mr Priyesh More i/by Jaydeep Mane for the intervenor.

**Coram : R.N.Laddha, J.
Date : 11 July 2025.**

P.C. :

By this application, the applicant seek pre-arrest bail in connection with CR No.63 of 2025, registered at Mandrup Police Station, Solapur (Rural), for the offences punishable under Sections 109, 115(2), 126(2), 189(3), 190, 191(2), 351(2), 351(3), 352 and 49 of the Bharatiya Nyaya Sanhita

(BNS), 2023.

2. It is the case of the prosecution that the applicant, along with others, formed an unlawful assembly and assaulted the informant with an iron rod and a wooden plank.

3. The learned Counsel appearing on behalf of the applicant submits that, with the exception of Section 109 of the BNS, all other offences attributed to the applicant are bailable in nature. He further submits that the present FIR is a retaliatory measure, lodged subsequent to an FIR previously registered against the informant regarding the same incident. This cross FIR was filed earlier in point of time. The learned Counsel further submits that the weapon allegedly used by the applicant in the present crime has already been recovered from the spot. The alleged injuries sustained by the informant are simple in nature, and the medical records do not corroborate the severity of the allegations made in the FIR. The learned Counsel brought to the attention of this Court that all co-accused persons have already been released on bail.

4. The learned APP representing respondent/ State

submits that the allegations levelled against the applicant are of a grave and serious nature. The applicant assaulted the informant using an iron rod. However, the learned APP fairly concedes that weapon allegedly used by the applicant in the incident has already been recovered from the scene of occurrence. He further acknowledges that the co-accused involved in the case have already been granted the bail. The learned APP also does not dispute the fact that the injury sustained by the informant is simple in nature. Additionally, it is acknowledged that the investigation in the matter has been duly concluded and nothing is to be recovered or discovered from the applicant.

5. Upon perusing the records, it appears that there is a delay in lodging the present FIR. The alleged incident took place on 7 March 2025, whereas the FIR in question was filed on 8 March 2025 indicating a gap which, though brief, remains unexplained on record. Notably, a cross FIR pertaining to the same incident was registered against the informant immediately after the occurrence. Furthermore, the weapon purportedly used by the applicant has already been recovered from the scene of occurrence, and nothing is to be recovered or discovered from the applicant.

Additionally, the injuries allegedly suffered by the informant appear, on the face of the medical records, to be simple in nature. The medical documentation does not align in material particulars with the allegations as described in the FIR. Moreover, all the co-accused in the present matter have already been enlarged on bail, and the investigation appears to be almost complete.

6. In light of the above circumstances, this Court finds it appropriate to grant the relief of pre-arrest bail to the applicant. Hence the following order.

ORDER

(i) In the event of the applicant's arrest in connection with CR No.63 of 2025, registered at Mandrup Police Station, Solapur (Rural), he shall be released on bail upon executing a PR Bond of Rs.25,000/- and furnishing one or more sureties in the like amount.

(ii) The applicant shall attend the concerned police station as and when required and cooperate with the investigation.

(iii) The applicant, himself or through any other person, shall not tamper with the evidence or influence the witnesses.

7. The application stands disposed of accordingly.

[R. N. Laddha, J.]