

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 1328 OF 2025

Mohan Savkar Jadhav

.... Applicant

Versus

The State of Maharashtra

.... Respondents

Mr. Shailesh Chavan a/w Mr. Sachin Pawar and Mr. Vikas Jagdale,
Advocate for the Applicant.

Mr. N. B. Patil, A.P.P., for the Respondent – State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 15th SEPTEMBER, 2025.

P.C. :

1. The Applicant is apprehending arrest in C.R. No. 775 of 2023 registered with Wai Police Station, for the offence punishable under Sections 307, 324, 323, 143, 147, 148, 149, 427, 504 and 506 of the Indian Penal Code, 1860 (for short, “IPC”).

2. It is prosecution’s case that on 8th November, 2023, the Applicant and co-accused assaulted the first informant with iron rod, iron pipe and wooden rod with intention to kill him on the ground that the first informant objected the Applicant to take the bore well vehicle from his land.

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3. It is contention of learned counsel for the Applicant that the Applicant has been falsely implicated in this case. The injuries suffered by the first informant are not mentioned in the injury Certificate. The first informant has suffered one grievous and simple injury. There are no specific allegations against the Applicant. Hence, requested to allow the application.

4. It is contention of learned APP that Applicant and co-accused assaulted the first informant with iron rod, iron pipe and wooden rod. The first informant has sustained grievous injuries. There are specific allegations against the Applicant are that he assaulted the first informant with iron rod and he instigated the co-accused to assault the injured witness. Considering allegations against the Applicant, his custodial interrogation is required to recover the weapons which were used in the crime. Learned APP further submitted that non-bailable warrant is issued against the Applicant, hence requested to reject the application.

5. I have heard both learned counsels, perused F.I.R. and documents produced on record.

6. The allegations against the Applicant are that he has instigated the co-accused to assault the injured Sandip Mankumbare

and he has assaulted on the head of the injured with iron rod and he assaulted to the other witnesses as well. The injury certificate of Sandip Mankumbare is produced on record, he has suffered injury on his head and suffered one grievous and simple injuries, he was advised to take CT scan of the said injury. From the record, it appears that, the Applicant has assaulted the injured on his head with iron rod with intention to kill him. He has also instigated the co-accused to assault the first informant and others. Considering these facts, custodial interrogation of the Applicant is required, the offence under Section 307 of the IPC is registered against the Applicant, which is a serious offence. Moreover, the non bailable warrant is issued against the Applicant and he is absconding since last two years. Considering these facts, I pass the following order:

ORDER

i. The application is rejected.

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

(SHIVKUMAR DIGE, J.)