

Harish

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1437 OF 2025

1. Ram Pandurang Dudhal
2. Harshad Bharat Gaikwad
3. Ankush Ram Gaikwad
4. Kiran Ajinath Gaikwad
5. Siddheshwar Dashrath Gaikwad

...Applicants

Versus

The State of Maharashtra

...Respondent

HARISH
VITHAL
CHAUDHARI

Digitally
signed by
HARISH
VITHAL
CHAUDHARI
Date:
2025.11.27
19:42:32
+0530

Mr. Jaydeep D. Mane, for the Applicants.
Ms. Priyanka S. Rane, APP, for the Respondent – State.

CORAM : SHIVKUMAR DIGE, J.
DATE : 25th NOVEMBER, 2025.

P.C.

1. By this application, the applicants are apprehending arrest in Crime No.215 of 2025 registered with Mohol Police Station, Dist. Solapur (Rural) for the offences punishable under Sections 309(4), 310(2), 61(2), 3(5), 126, 140(3) of the Bhartiya Nyaya Sanhita.
2. It is prosecution's case that on 22nd February, 2025, when the first informant was proceeding in his truck, at that time, four unknown persons intercepted his truck by Scorpio vehicle. They got into the truck of the first informant, snatched his mobile and went

away. It is alleged that thereafter, those unknown persons returned the mobile of the first informant and truck of the first informant was left abandoned on the side of the road at some distance.

3. It is contention of learned counsel for applicants that no role is attributed to the applicants in the present crime. Though in FIR, there is reference of four accused, the prosecution has come with the case of seven accused. Hence, requested to allow the application.

4. It is contention of learned APP that the applicants are the main conspirator. The applicant no. 1 has two antecedents. The applicants were present at the incident spot. Hence, custodial interrogation of the applicants is required and requested to reject the application.

5. I have heard both the learned counsels, perused the FIR and documents placed on record.

6. It appears from the record that the first informant's truck and mobile were stolen. The mobile was returned to the first informant and stolen truck was found abandoned at some distance. No specific role is attributed to the applicants in the remand report. Considering these facts, custodial interrogation of the applicants is not required and I pass the following order :

ORDER

I. Application is allowed;

II. In the event of arrest, the Applicants be enlarged on bail in Crime No.215 of 2025 registered with Mohol Police Station, Dist. Solapur (Rural), on executing PR.Bond in the sum of Rs.20,000/- each with one or two sureties in the like amount.

III. The Applicants shall attend the concerned police station as and when required.

7. The application is allowed in the aforesaid terms and is accordingly disposed off.

8. It is made clear that the above observations are made only for the purpose of granting anticipatory 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.

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

(SHIVKUMAR DIGE, J.)