

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

Anticipatory Bail Application No.1657 of 2025

Vishal Bhimashankar Birajdar,
Age: 32 years, Occupation:
Agriculture,
R/o. Kumbhari, Taluka South
Solapur, District Solapur,
Maharashtra

... Applicant

versus

The State of Maharashtra
Through Police Inspector,
Valsang Police Station,
Taluka South Solapur,
District Solapur, Maharashtra

... Respondent

Mr Abhijit Patil, for the applicant.

Mr Swapnil S Pednekar, APP, for the respondent/ State.

PC-1358/ Siddhalingappa Siddraya Birajdar, Valsang Police
Station, is present.

Coram : R.N. Laddha, J.

Date: 7 July 2025.

P.C.:

By this application, the applicant seeks pre-arrest bail in connection with CR No.198 of 2025, registered at Valsang Police Station, Solapur, for offences punishable under Sections 109(1), 351(2), 351(3), and 352 read with 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. The prosecution alleges that on 9 April 2025, around 1:30 p.m., a verbal altercation between the informant's brother, Rohan, and the applicant escalated into an assault. When the informant and Rohan confronted the applicant about the abuse, the applicant became aggressive, grabbing Rohan and threatening both brothers. The applicant retrieved a sharp object (sattur) from his house and attacked the informant, inflicting injuries to his neck, wrist, and calf. The co-accused, the applicant's friend, also assaulted them. Thereafter, the applicant and the co-accused fled, issuing further threats.

3. Mr Abhijit Patil, the learned Counsel appearing on behalf of the applicant, asserts the applicant's innocence and contends that the allegations are false, exaggerated and motivated by a personal dispute. The learned Counsel draws this Court's attention to the informant's statement under Section 183 of the Bharatiya Nagrik Suraksha Sanhita, 2023, to submit that the informant lodged the FIR due to a misunderstanding. He also points out the consent affidavit filed by the informant before the Sessions Court and submits that the informant has no grievance against the applicant and does not object to granting him pre-arrest bail. Mr Patil further submits that the applicant has been falsely implicated in the crime and has no criminal antecedents. The applicant is ready to abide by any conditions imposed by this Court.

4. Mr SS Pednekar, the learned Additional Public Prosecutor representing the respondent/ State, opposes the applicant's request for pre-arrest bail, contending that the offence is of a grave nature. If the applicant is released on bail, he may tamper with the evidence or influence witnesses.

5. Upon perusing the records, it appears that the applicant is accused of assaulting the informant and issuing threats to him and his brother. The material on record, particularly the informant's statement under Section 183 of the Bharatiya Nagrik Suraksha Sanhita, 2023, and his consent affidavit before the trial Court, suggests that the informant lodged the present complaint under a misunderstanding. The informant seems to have no grievances against the applicant and extends his consent to granting him bail. Furthermore, the co-accused has already been released on bail, and the alleged weapon has been recovered. Nothing is to be recovered or discovered from the applicant, and the investigation is at an advanced stage. In the circumstances, this Court is inclined to exercise its discretion in favour of the applicant. Hence, the following order:

ORDER

(i) In the event of the applicant's arrest in connection with CR No.198 of 2025, registered at Valsang Police Station,

Solapur, 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.

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

6. The application stands disposed of accordingly.

(R.N. Laddha, J.)