

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 653 OF 2025**

Aditya Sunil Birajdar ...Appellant
Versus
State Of Maharashtra And Anr. ...Respondents

Mr. Hrishikesh S. Shinde, Advocate for the Appellant.
Mr. S. S. Chaudhari APP for the State.
Mr. Avesh A. Ghadge, Advocate for the Respondent No.2 through legal-aid.

**CORAM : SHIVKUMAR DIGE, J.
DATE : 4th NOVEMBER, 2025.**

P.C.

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1. By this appeal, the Appellant is challenging the order dated 9th June 2025 passed by the learned Additional Sessions Judge, Solapur in Criminal Bail Application No. 542 of 2025. The Appellant is apprehending his arrest in C.R. No. 138 of 2025 registered with Akkalkot North Police Station, Dist. Solapur for offence punishable under Sections 109, 118(1), 115(1), 324(4), 351(2), 352, 189(2), 191(2), 190 of Bhartiya Nyay Sanhita, 2023 and under Sections 3(1)(r)(s) and 3(2)(v) of The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. It is the prosecution's case that on 23rd March 2025, when

the first informant was walking on the road, he had a dispute with the co-accused. It is alleged that thereafter, co-accused called the Appellant on his phone. It is alleged that the Appellant arrived in a Scorpio and dashed the scooty of the first informant with intention to kill him. It is alleged that the Appellant and the persons in Scorpio got down and assaulted the first informant and his friend with a wooden rod.

3. It is the contention of learned counsel for Appellant that Investigation is completed and charge-sheet has been filed. While on interim relief, the Appellant has cooperated with the investigation. The first informant has received simple injuries. False case is filed against the Appellant on the ground of political rivalry. Hence, requested to allow the appeal.

4. It is the contention of learned APP alongwith learned counsel for respondent no. 2 that Appellant dashed the scooty of the first informant with intention to kill him and thereafter, Appellant and co-accused assaulted the first informant and his friend with a wooden rod and hunter. If Appellant is released on bail, he may threaten the first informant and prosecution witnesses. Hence, requested to reject the appeal.

5. I have heard all the learned counsel, perused F.I.R. and documents produced on record. Investigation is completed and charge-sheet has been filed. The injuries suffered by the first informant are simple in nature. Whether the Appellant had intention to kill the first informant or not is a part of evidence. While on interim relief, the Appellant has cooperated with the investigation. As investigation is completed, custodial interrogation of the Appellant is not required.

6. In view of above, I pass following order:

ORDER

- I. Appeal is allowed.
- II. The order dated 9th June 2025 passed by the learned Additional Sessions Judge, Solapur in Criminal Bail Application No. 542 of 2025 is quashed and set aside.
- III. In the event of arrest, Appellant be enlarged on bail in C.R. No. 138 of 2025 registered with Akkalkot North Police Station, Dist. Solapur on furnishing PR. Bond in the sum of Rs. 20,000/- with one or two sureties in the like amount.
- IV. The Appellant shall attend the concerned police station as and

when required.

V. The Appellant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

VI. Appeal is disposed off in above terms.

VII. All concerned to act on authenticated copy of this order.

7. Professional fees of Rs. 10,000/- be paid to the learned counsel for respondent no. 2 appointed through Legal Aid.

(SHIVKUMAR DIGE, J.)