

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 2233 OF 2025

1. Sunil Shankar More Applicants
2. Sunny Sunil More

Versus

The State of Maharashtra Respondents

Mr. Somnath Thengal, Advocate for the Applicants.
Ms. P.S. Rane, A.P.P., for the Respondent – State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 19th SEPTEMBER, 2025.

P.C. :

1. The Applicants are apprehending arrest in C.R. No. 70 of 2025 registered with Patan Police Station, for the offences punishable under Sections 310(2), 118(1), 115(2), 351(2), 351(3) & 352 of the Bharatiya Nyaya Sanhita, 2023 (for short, “BNS Act”).

2. It is prosecution’s case that on 15th April, 2025 around 7:30 p.m. when the Applicants were standing on the road, a quarrel took place between the Applicants and the first informant. In the said quarrel, the Applicants assaulted the first informant and took away his 10 gram gold chain. It is alleged that the Applicants assaulted the first

informant with an intention to kill him.

3. It is contention of learned counsel for the Applicant that the Applicants have been falsely implicated in this case. The injury suffered by the first informant are simple injuries. There is a delay of 10 days for lodging the F.I.R. The matter was settled at village level but thereafter, due to inducement of some villagers, the present F.I.R. was lodged. Applicants have no antecedents. While out on interim bail, they have co-operated with the investigation. Hence, requested to allow the application.

4. It is contention of learned APP that the Applicants have assaulted the first informant with intention to kill him and snatched his gold chain and ran away. The first informant was admitted in the hospital, hence, he could not file the first information report immediately after the incident. Considering allegations against the Applicant, their custodial interrogation is required, and requested to reject the application.

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

6. The injury certificate of the first informant shows that he has suffered simple injuries. In the First Information Report it is

mentioned that he was admitted in the hospital from 16th April to 19th April, 2025 but, F.I.R. is lodged on 25th April, 2025. There is a delay of 10 days for filing the F.I.R. The co-accused has been released on anticipatory bail. While on interim relief, the Applicants have co-operated with the investigation. Considering these facts, I pass the following order:

ORDER

- i. The application is allowed.
- ii. The order passed by this Court vide order dated 26th August, 2025 is made absolute.
- iii. The Applicants shall not tamper with the evidence or attempt to influence or contact the complainant, witness or any person concerned with the case.
- iv. The Applicants shall inform his latest place of residence and mobile number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Investigating Officer.
- v. The Trial Court shall not be influenced by the observations made in this order and shall decide the

matter on its own merits and in accordance with law.

7. The application is allowed in the aforesaid terms and is accordingly disposed off.
8. All the concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)