

Harish

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

ANTICIPATORY BAIL APPLICATION NO. 2412 OF 2025

Maruti Babu Ghasti	...Applicant
Versus	
State Of Maharashtra	...Respondent

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Mr. Vinod P. Hirani Advocate for the Applicant.
Mr. S. H. Yadav, APP for the Respondent-State.
PSI Sanjay Patil, Ajara Police Station.

CORAM : SHIVKUMAR DIGE, J.
DATE : 13th NOVEMBER, 2025.

P.C.

1. By this application, the applicant is apprehending arrest in crime no.225 of 2025 registered with Ajara Police Station, Dist-Kolhapur for the offences punishable under Sections 312 of Bharatiya Nyay Sanhita, 2023.

2. It is prosecution's case that on 27th August, 2025 at around 11.00 p.m. to 12.30 a.m., 9 to 10 persons have committed dacoity in cashew factory of the first informant. The co-accused tied and assaulted the workers of the cashew factory residing in godown of the cashew factory and thereafter got open the lock of cashew factory by

using gas cutter, but they did not find any goods in the said cashew factory. It is alleged that the applicant is the conspirator of the said crime and he had sent two persons with gas cutter to get open the lock of the said cashew factory.

3. It is contention of learned counsel for the applicant that the applicant was not present at the time of incident. He had not used any deadly weapon. There is no recovery at the instance of the applicant. Hence, custodial interrogation of the applicant is not required and requested to allow the application.

4. It is contention of learned APP that the applicant is the main conspirator. He had sent the co-accused to make dacoity in the cashew factory of the first informant. He was in continuous touch with the co-accused on mobile during that period. Thereafter, he sent two persons with gas cutter machine to get open the lock of the cashew factory, it shows his active involvement in the crime. The applicant has two antecedents. While on bail he has committed the present crime. The police have arrested some co-accused. The investigation is in progress. Hence, requested to reject the application.

5. I have heard both the learned counsel, perused the FIR and documents produced on record.

6. The allegations against the applicant are that on his say the co-

accused have committed dacoity in the cashew factory of the first informant. It is alleged that he had sent two persons with gas cutter to get open the lock of the cashew factory. The co-accused have assaulted the workers of the cashew factory with wooden rod and had tied them. The call details produced on record shows that the applicant was in continuous touch with the co-accused during that period. It shows the involvement of the applicant in the crime. The applicant has two antecedents. The investigation is in progress. Considering the allegations against the applicant, his custodial interrogation is required and I pass following order :

O R D E R

The Application is Rejected.

(SHIVKUMAR DIGE, J.)