

Harish

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2443 OF 2025

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1. Vaibhav Chandrakant Pise
2. Ganesh Kashinath Jadhav
3. Jyotirling Ramesh Birajdar
Versus
The State of Maharashtra

...Applicants
...Respondent

Mr. T. S. Jadhavar a/w Mr. S.S. Jadhavar, Advocate for the Applicants.
Dr. A. A. Takalkar, APP for the Respondent-State.

CORAM : SHIVKUMAR DIGE, J.
DATE : 1st DECEMBER, 2025

P.C.

1. Applicants are apprehending arrest in Crime No.753 of 2025 registered with Barshi City Police Station, Dist. Solapur (Rural) for the offences punishable under Sections 115(2), 118(2), 352 and 3(5) of the Bhartiya Nyaya Sanhita, 2023.

2. It is prosecution's case that on 14th September, 2025, at around 9.10 p.m. the first informant had gone to the wine shop of the applicant no. 1 for bringing the bear bottle. At that time, on account of price of the bear bottle, the applicant and co-accused assaulted the first informant with bear bottle on his head.

3. It is contention of learned counsel for applicants that initially, the offence was registered under Section 118(2) of the Bharatiya Nyaya Sanhita (BNS), and the applicants were called to the police station by giving notice, pursuant to which they were granted bail and after received injury certificate of the first informant, present sections are applied against the applicants. Investigation is almost completed. There is no recovery at the instance of the applicants. Hence, requested to allow the application.

4. It is contention of learned APP that injury suffered by the first informant is grievous in nature. He has received the injury to his skull and eye. Considering the allegations against the applicants, their custodial interrogation 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. The applicants are already released on bail by the Investigating Officer. The bear bottle used in crime, is seized. Investigation is almost completed. 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.753 of 2025 registered with Barshi City Police Station, Dist. Solapur (Rural), on executing P.R.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.)