

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 3633 OF 2025**

1. Ashutosh Mahadev Kadam
2. Mahadev Sambhu Kadam
3. Sou. Shanta Mahadev KadamApplicants

Versus

State Of Maharashtra ...Respondent

Mr. Prashant Edake, Advocate for the Applicants
Mr. S. H. Yadav, APP for the respondent-State

CORAM : SHIVKUMAR DIGE, J.
DATE : 17th DECEMBER, 2025.

P.C.

1. Heard learned counsel for the applicants and learned APP. Learned counsel for the applicants seeks permission to file bail application of applicant no. 2 after filing of the charge-sheet before the Trial Court.

2. Leave granted to file bail application of applicant no. 2 after filing of the charge-sheet before the Trial Court.

3. By this application, applicant nos. 1 and 3 (applicants) are seeking regular bail in C.R. No. 358 of 2025 registered with Velpur Police Station, District Solapur for offences punishable under Sections

109, 118(1), 115(2), 351(2), 352, 3(5) of Bhartiya Nyaya Sanhita, 2023.

4. It is the prosecution's case that on 5th October 2025 around 2.00 p.m., the applicants and co-accused assaulted the first informant and his family members with axe with intention to kill them.

5. It is contention of learned counsel for applicants that the author of the injuries caused to the injured persons is Mahadev Kadam who has withdrawn the bail application. The applicants are behind bar for more than two months. Investigation is almost completed and requested to allow the application.

6. It is contention of learned APP that the applicants and co-accused assaulted the informant and his family members with axe. In the said assault, family members of the first informant have received grievous injuries. If the applicants are released on bail, they may threaten the first informant and prosecution witnesses and requested to reject the application.

7. I have heard both learned counsel, perused F.I.R. and documents produced on record. The allegations against the applicant no. 1 is that he assaulted the first informant with axe, the injuries suffered are in simple in nature. The allegations against applicant no.

3 is that she assaulted the wife of the first informant. The injuries suffered by the wife of the first informant are simple in nature. The applicants are behind bar for more than two months. Investigation is almost completed.

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

ORDER

I. The Application is allowed.

II. The Applicants be enlarged on bail in C.R. No. 358 of 2025 registered with Velpur Police Station, District Solapur 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 not tamper with the evidence or attempt to influence or contact the witnesses or any person concerned with the case.

IV. The Applicants shall attend the Trial Court dates, regularly.

V. The applicants shall not enter in Malshiras Taluka, till filing of charge-sheet.

9. The application is allowed in the aforesaid terms and is accordingly disposed off.

10. It is made clear that the above observations are made only

for the purpose of granting 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.

11. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)

IRESH MASHAL Digitally signed by
IRESH MASHAL
Date: 2025.12.19
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