

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

BAIL APPLICATION NO. 425 OF 2025

Dattatraya @ Guddu @ Dattaraj Hari Bhosale	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Mr. Om Navnath Latpate a/w Mr. Abhijit Solankar and Mr. Abhishek B., Advocate for the Applicant.

Mr. Onkar Mane, Advocate for the Complainant.

Ms. P. S. Rane, A.P.P. for the Respondent – State.

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CORAM	:	N. R. BORKAR, J.
DATE	:	24th FEBRUARY, 2025.

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No.394 of 2024 registered at Solapur Taluka Police Station, Dist.-Solapur, for the offences punishable under Sections 76, 78, 109, 119 (1), 189 (2), 190, 191 (2), 191 (3), 351 (2) and 352 of Bharatiya Nyaya Sanhita and Section 135 of Maharashtra Police Act.
3. The applicant is the Accused No.1 in the present

crime. There was a land dispute between the family of the complainant/injured and the family of the Accused No.2. The said dispute was decided in favour of the family of the complainant. It is alleged that the Accused No.2 and his family members were thus infuriated with the family of the complainant. It is alleged that thus on the date of incident which took place on 17.08.2024 the present applicant and other co-accused assaulted the complainant by sharp weapons and iron rods and attempted to commit her murder. There are allegations of outraging her modesty also.

4. I have heard the learned counsel for the applicant, learned A.P.P. for the Respondent-State and learned counsel for the respondent/complainant.

5. The learned counsel for the applicant submits that the applicant has nothing to do with the alleged dispute between the family of Accused No.2 and the family of the complainant. It is submitted that even otherwise the possibility of exaggeration can not be ruled out as injuries sustained by the complainant are of simple in nature. It is submitted that the applicant is in jail for more than six months. It is submitted

that considering the overall facts and circumstances, the applicant may be released on bail.

6. On the other hand, the learned A.P.P. for the Respondent-State and the learned counsel for the complainant submits that the applicant at the time of alleged incident was armed with sharp weapon. It is submitted that the applicant is involved in two more crimes. It is submitted that thus, the applicant may not be released on bail.

7. I have perused the injury certificate of the complainant. The injuries are simple in nature and there is no injury by sharp weapon. The motive for the alleged crime is not attributed to the present applicant. Considering the overall facts and circumstances of the case, I am inclined to release the applicant on bail.

ORDER

- (i) Criminal Bail Application is allowed;
- (ii) The applicant is directed to be released on bail in connection with Crime No.394 of 2024 registered at Solapur Taluka Police Station, Dist.-Solapur, for the offences punishable under Sections 76, 78, 109, 119 (1), 189 (2), 190, 191 (2), 191 (3), 351 (2) and 352 of

Bharatiya Nyaya Sanhita and Section 135 of Maharashtra Police Act on executing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount;

(iii) The applicant shall not enter into the limits of village Kondi Taluka: North Solapur, Dist.-Solapur till conclusion of trial.

(iv) The applicant shall not commit any other crime.

(v) It would be open to the complainant and the State to file the application for cancellation of bail, if the applicant commits breach of any of the above conditions.

(vi) Application stands disposed of accordingly.

(N. R. BORKAR, J.)