

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

CRIMINAL BAIL APPLICATION NO. 453 OF 2025

Akshay Suresh Bhosale

...Applicant

VERSUS

The State of Maharashtra

...Respondent

....

Mr. Satyavrat Joshi, a/w Yash Fadtare, a/w Mr. Sachin Zalte Patil, a/w Mr. Ishan P., a/w Ms. Shivani Kondekar, Advocate for the Applicant.

Ms. G. P. Mulekar, APP for the Respondent/State.

Mr. Sanjeev P. Kadam a/w Prashant Raul, a/w Mr. Krishna Tarde i/b Prashant Hagare, Advocate for the Intervenor.

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CORAM : N. R. BORKAR, J.
DATE : 17.04.2025.

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No. 282 of 2024 registered at Uruli Kanchan Police Station, Dist- Pune for the offences punishable under Sections 109, 115(2), 238, 126(2), 352, 351(2)(3) r/w 3(5) of Bhartiya Nyaya Sanhita, 2023 and Section 30 of the Arms Act.
3. The present applicant is accused No.5 in the aforesaid crime. Accused No. 1 in the present crime had

borrowed certain amount from the complainant. On the date of incident which took place on 14.09.2024, the complainant and his cousin Kaluram Gote, who is injured in the present crime had gone to the house of the accused No.1 and told him to return the amount borrowed by him. It is alleged that altercation took place between the accused No.1 on one side and the complainant and injured Kaluram Gote on other side. It is alleged that during the said altercation, the accused No.1 took out the pistol and started firing due to which the injured sustained bullet injury. It is alleged that at that time present applicant who is the nephew of the accused No.1 came there and assaulted the complainant with fist and kick blows.

4. I have heard the learned counsel for the applicant and the learned APP for the respondent/State.

5. The learned counsel for the applicant submits that the Sessions Court has already released the co-accused Nikhil Bhosale to whom a similar overt act is attributed. The learned counsel for the applicant submits that the applicant is aged about 29 years and there are no criminal antecedents against him.

6. On the other hand, the learned APP for the Respondent/State and the learned counsel for the complainant/intervenor submit that the applicant was present when the alleged incident took place. It is submitted that the applicant also took part in the alleged incident as he assaulted the complainant with fist blows. It is submitted that considering the nature of crime the applicant may not be released on bail.

7. I have perused the statement of the complainant. The main allegations are against the accused No.1. The applicant is in jail for six months and there are no other criminal antecedents. Considering the overall facts and circumstances of the case, I am inclined to release the applicant on bail. In the result, the following order is passed:

ORDER

A] The Application is allowed.

B] The applicant be released on bail in Crime No. 282 of 2024 registered at Uruli Kanchan Police Station, Dist-Pune for the offences punishable under Sections 109, 115(2), 238, 126(2), 352, 351(2)(3) r/w 3(5)

of Bhartiya Nyaya Sanhita, 2023 and Section 30 of the Arms Act, on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

C] The applicant shall attend the Uruli Kanchan police station once in a month, i.e., on first Saturday between 11:00 am to 2:00 pm, till conclusion of the trial.

D] The applicant shall not enter into the limits of Village Bhivari Tal. Haveli Dist- Pune, till conclusion of the trial.

8. Application stands disposed of accordingly.

(N. R. BORKAR, J.)