

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.3385 OF 2025**

Mehul Manilal Koli	...Applicant
<i>Versus</i>	
State of Maharashtra	...Respondent

Mr. Ashok M. Saraogi, *for the Applicant.*
Ms. Anamika Malhotra, *for the Respondent.*
PSI-Rahul Kotake, *Santacruz Police Station, present.*

CORAM DR. NEELA GOKHALE, J.
DATED: 04TH DECEMBER 2025

PC: -

- 1.** By this Application, the Applicant seeks his enlargement on bail in connection with C.R. No. 310 of 2025 dated 01st April, 2025 registered with the Santacruz Police Station, Mumbai for the offences punishable under Sections 109(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023, and Sections 37(1) and 135 of the Maharashtra Police Act, 1951.

- 2.** There are two accused in all. The present Applicant is Accused No. 2. As per the story of the First Informant, the

Applicant alongwith the co-accused namely, Arjun Kumar Koli came to the grocery store of the First Informant and assaulted his employee namely, one Rajendra alias Rajulal. The co-accused - Arjun Kumar Koli stabbed said Rajendra with a knife and the Applicant is stated to have beaten him with the vessel of the weighing machine. Both the accused were identified by CCTV cameras installed in the locality and hence, FIR was registered and the co-accused and the Applicant were arrested.

3. Mr. Ashok Saraogi, learned counsel appearing for the Applicant submits that the present Applicant has only accompanied his brother i.e. Arjun Kumar Koli who is the main accused and there was no intention to commit any offence, least of all the offence as alleged against him. Mr. Saraogi also submits that even from the CCTV footage, it is seen that the applicant did not wield any knife and the injury report also reveals that the grievous injury caused to the said Rajendra was one knife injury. He submits that there are no

antecedents against the present Applicant and other than the CCTV footage there is nothing to indicate that the Applicant has committed any offence. Hence, it is prayed that the Applicant be released on bail.

4. Ms. Anamika Malhotra, learned APP, on the other hand, draws my attention to the story narrated by the First Informant and the statements of the eye-witnesses which are consistent with the narration of the First Informant. The CCTV footage corroborates the statement of the First Informant that the two accused persons came and assaulted his employee said Rajendra. She also submits that identification parade was also conducted by the police and the accused are identified. It is thus clear that the victim's injuries are attributed to the acts of the co-accused and not this applicant. She submits that the Applicant is arrested only on 2nd April, 2025 and there is no case for prolonged incarceration. Hence, she prays that the Bail Application be rejected.

5. I have heard learned counsel appearing for the respective parties and perused the record with their assistance.

6. Plain reading of the FIR indicates that the role attributed to the present Applicant is that of wielding the vessel of the weighing machine. The knife is clearly seen to be in the hands of the co-accused namely, Arjun Kumar Koli. The medical report also reveals that the injuries on Rajendra are caused by stab wounds of the knife. In these circumstances, the Applicant may be released on bail. Admittedly, there are antecedents in respect of the present Applicant.

7. Ms. Malhotra further submits that the address of the Applicant provided in the interim charge sheet is of Gujarat, and prays that certain conditions may be imposed to ensure his attendance before the Trial Court.

8. In these circumstances, I am inclined to enlarge the Applicant on bail. It is accordingly ordered as under.

ORDER

i) The Applicant be enlarged on bail, on executing PR Bond in the sum of Rs.50,000/ with one or two local sureties in the like amount;

ii) The Applicant shall attend the Trial Court concerned on each and every date unless exempted by the orders of the Trial Court concerned;

iii) The Applicant shall also attend the Police Station concerned once in a month between 11:00 a.m. to 02:00 p.m.;

iv) If the Applicant has not deposited his passport, if any, the Applicant shall deposit the same with the Police Station concerned;

v) The Applicant shall not leave State of Maharashtra, without the permission of the Trial Court;

vi) The Applicant shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

vii) The Applicant shall inform his latest place of residence and contact number immediately after being released and / or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the Police Station concerned;

viii) The Applicant to co-operate with the conduct of the trial;

ix) Any infraction of the aforesaid conditions shall entail cancellation of bail.

9. Application is allowed in the above terms and is accordingly disposed of.

10. It is made clear that the observations made herein are *prima facie* and are confined to this Application and the learned Trial Judge to decide the case on its own merits, uninfluenced by the observations made herein.

(DR. NEELA GOKHALE, J)