

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

Bail Application No.3733 of 2025

Amit @ Anna Bajrang Mane
Age: 34 years, Occu-Business
R/at: Near High School
Awasari Khurd, Dist: Pune
(At present languishing in Yerawada
Central Prison, Pune)

... Applicant.

Versus

The State of Maharashtra
(Through Chakan Police Station,
Pune)

... Respondent.

Mr Satyavrat Joshi, i/b Mr Samay Pawar, for the applicant.
Mr PP Jadhav, APP, for the respondent/ State.
PSI Akshay Munjaji Mote, Chakan Police Station, is present.

**Coram: R.N. Laddha, J.
Date: 3 November 2025.**

P.C.:

By this application, the applicant seeks bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with CR No.584 of 2024, registered with Chakan Police Station, Pune, for the offences punishable under Sections 109, 140, 140(4), 117(2), 189(2), 191(2), 190, 115, 352, 351(2), and 351(3) of the Bharatiya Nyaya Sanhita, 2023

(BNS), Sections 37(1) and 37(3) read with 135 of the Maharashtra Police Act, 1951 and Section 7 of the Criminal Law Amendment Act, 2013.

2. The informant, Ranjeet @ Maya Laxman Yerkar, lodged an FIR at Chakan Police Station alleging that on 27.08.2024 at about 8:00 p.m., while he was standing near Padwal Dairy, Balaji Nagar along with his friends Sahil Sonwane, Yuvraj Kadam, Swapnil Mule, and Sachin Aarekar, a white Fortuner car bearing No.2498 arrived. The said vehicle was occupied by the present applicant Sonya @ Shripad Kusalkar, Bunty @ Nikhil Shelar, and Manthan Pandit. The applicant abused and threatened the informant, and Bunty assaulted him. When Sachin intervened, further altercation ensued. Within five minutes, Nana @ Arun Kusalkar, Vikas Chavan, and five unknown persons arrived in another Fortuner and collectively assaulted the informant on his chest and private parts, creating terror by blocking the public road. The assailants forcibly took the informant's mobile phone. Subsequently, the present applicant Anna Mane and another person compelled the informant to sit in a four-wheeler, threatened him, and attempted to strangle him with a belt. Another assailant kicked the informant's face. The informant was detained in the vehicle for about half an hour to one hour and taken to

Nanekarwadi, MIDC, where he was thrown out of the car. The accused directed the owner of Patil Mobile and one Jeevan to delete CCTV footage. The applicant threatened to kill the informant and recorded two to three videos on his mobile.

3. Mr Satyavrat Joshi, the learned Counsel appearing on behalf of the applicant, submits that the applicant is innocent and has been falsely implicated in the present crime. It is contended that the applicant has no connection whatsoever with the alleged incident and that the prosecution has failed to establish any *prima facie* case against him. The learned Counsel further submits that the applicant was discharged from the hospital on the very same day of admission, which itself indicates that the allegations levelled against him are exaggerated and unfounded. Therefore, according to the learned Counsel, it would be difficult to arrive at a *prima facie* conclusion that the applicant is guilty of the offences punishable under Section 109 of the Bharatiya Nyaya Sanhita.

4. It is further submitted that almost all the co-accused persons, including those having criminal antecedents, have already been enlarged on bail by the competent court. The learned Counsel emphasises that there is no reference to the applicant in the CCTV panchnama and the prosecution has not been able to demonstrate any specific motive attributable to the

applicant for allegedly assaulting the informant.

5. It is submitted that on a plain perusal of the charge sheet, it becomes apparent that the incident, as alleged, has not occurred in the manner described by the informant. The FIR appears to have been lodged by suppressing material facts and the true genesis of the occurrence. The learned Counsel further submits that the applicant has deep roots in society and poses no risk of absconding or tampering with the prosecution evidence. The applicant undertakes to scrupulously abide by any terms and conditions that may be imposed by this Court, including a condition to remain outside the territorial jurisdiction of Pune District until the conclusion of the trial, and further undertakes not to seek relaxation of any such condition.

6. On the other hand, Mr PP Jadhav, the learned Additional Public Prosecutor appearing on behalf of the respondent/State, has vehemently opposed the application for bail. He contends that the applicant stands accused of committing a grave and serious offence and that his involvement in the commission of the said crime is direct and unequivocal. It is further submitted that the applicant has a criminal record and is, therefore, not a person of clean antecedents. Considering the seriousness and gravity of the allegations levelled against him, it is argued that

the applicant does not deserve the discretionary relief of bail at this stage.

7. Upon perusal of the case records, it appears that the applicant has been incarcerated for a period exceeding one year and two months in connection with the present offence. The learned APP has submitted that the prosecution intends to examine as many as 33 witnesses during the course of the trial. It further appears from the record that ten co-accused persons have already been enlarged on bail. The applicability of Section 109 of the BNS, to the facts and circumstances of the present case appears to be a matter of legal debate. The medical record indicates that the injured person was discharged from the hospital on the very date of admission, which *prima facie* suggests that the injuries sustained were not of a grievous nature.

8. Furthermore, the applicant's presence at the scene of the offence is not reflected in the CCTV footage relied upon by the prosecution. The prosecution's case, inter alia, rests on the allegation that the applicant had recorded two to three video clips on his personal mobile device at the time of the incident. However, the said mobile phone, purportedly the primary instrument of such recording, has not been recovered during

the course of the investigation. The learned Counsel for the applicant, on instructions, undertakes that the applicant shall not reside within the territorial limits of Pune District until the conclusion of the trial and further undertakes not to seek relaxation of the said condition. Considering that the prosecution has cited thirty-three witnesses to be examined, and in view of the fact that even the charges have not yet been framed, it is apparent that the trial is likely to take a considerable period of time for its conclusion.

9. Having regard to the aforesaid circumstances, including the nature and extent of the alleged injuries, the completion of the investigation, duration of the applicant's custody, and the undertaking furnished by the applicant, this Court is of the view that the case warrants the exercise of discretion in favour of granting bail. Accordingly, the application is allowed, and it is directed that the applicant be released on bail, subject to the following terms and conditions:

- (i) The applicant shall be released on bail in CR No.584 of 2024, registered at Chakan Police Station, Pune, upon furnishing a PR Bond of Rs. 25,000/- with one or more sureties in the like amount to the satisfaction of the

jurisdictional Court.

(ii) The applicant shall not enter the territorial jurisdiction of Pune District until the conclusion of the trial, save and except to attend the trial proceedings, and shall not, either personally or through any other person, attempt to tamper with prosecution evidence or issue any threats, inducements, or promises to prosecution witnesses.

(iii) The applicant shall furnish his residential and contact details to the Inspector of the concerned Police Station and shall notify the said officer forthwith of any subsequent changes therein.

(iv) The applicant shall regularly attend the proceedings before the jurisdictional Court.

10. The application stands disposed of accordingly.

11. It is clarified that these *prima facie* observations are

confined to determining the entitlement to bail.

[R.N. Laddha, J.]