

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2666 OF 2025**

Santosh Ramarao Sawant @
Dilip Sawant @ Dily

...Applicant

V/s.

The State of Maharashtra

...Respondent

Mr. D. R. Thakare Advocate for the Applicant.

Mr. V. N. Sagare, APP for the Respondent/State.

CORAM : N.R. BORKAR, J.
DATE : 26.09.2025.

P.C. :

1. This is an application for Anticipatory Bail.
2. The applicant is apprehending his arrest in Crime No. 265 of 2025 registered at Vishnu Nagar Police Station, for the offences punishable under Sections 115(2), 118(1) 352 & 3(5) of the Bharatiya Nyaya Sanhita, 2023.
3. According to the prosecution, on the date of incident, which took place on 15.05.2025, the present applicant and other co-accused assaulted the first informant with a wooden stick as well as with fist & kick blows, on account of previous enmity between them. Due to the said assault, the first informant

sustained grievous injuries.

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 it was the first informant and his friend who assaulted the present applicant. It is submitted that there is a cross FIR in relation to the said assault. The learned counsel for the applicant submits that nothing is to be recovered at the instance of the present applicant and even according to the first informant, the applicant was not armed with any weapon.

6. On the other hand, the learned APP for the respondent-State submits that the applicant is involved in one more crime for the offence punishable under Section 324 of the Indian Penal Code. It is submitted that considering the nature of crime the applicant may not be released on anticipatory bail.

7. I have perused the first information report. The only allegation against the present applicant is that he caught hold of the first informant while the other co-accused were assaulting him. There is a cross FIR at the instance of the present applicant.

Nothing is to be recovered at the instance of the applicant and therefore there is no need for custodial interrogation. In that view of the matter, I am inclined to release the applicant on anticipatory bail. In the result, the following order is passed :

ORDER

- a) The Application is allowed.
- b) In the event of arrest of the applicant in connection with Crime No. 265 of 2025 registered at Vishnu Nagar Police Station, for the offences punishable under Sections 115(2), 118(1) 352 & 3(5) of the Bharatiya Nyaya Sanhita, 2023, the applicant be released on bail on furnishing P.R. Bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.
- c) The applicant shall attend the concerned police station as and when called by the investigating officer and shall co-operate in the investigation.

[N.R.BORKAR, J.]