

DGP

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.3043 OF 2025

Yash Rajendra Kambale

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Ranjeet M. Pawar, Advocate for the Applicant.

Mr. S.A. Karmakar, APP

PSI, Tushar Bhor attached to Malgaon Police Station Pune Rural present.

CORAM: MADHAV J. JAMDAR, J.

DATED: 12 NOVEMBER 2025

P.C.:

1. Heard Mr. Pawar learned Counsel appearing for the Applicant and Mr.Karmakar learned APP for the State.
2. The Applicant who is Accused No.1 has filed this application under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 ("BNSS") seeking pre-arrest bail in connection with C.R. No.213/2024 registered with Malegaon Police Station, Pune Rural under Sections 109, 140(1), 118(2), 189(2), 189(4), 190, 191(2), 191(3), 135 of the Bhartiya Nyaya Sanhita, 2023 ("BNS").
3. The FIR has been lodged by the father of the injured. As per the prosecution case, the sister of the Applicant is having friendly

relationship with the injured and therefore, Applicant along with other co-accused assaulted the injured.

4. Mr. Pawar, learned Counsel appearing for the Applicant submits that the charge sheet is already filed and therefore, investigation is almost completed. He submits that although the First Informant i.e. father of the injured was not present when the incident of assault took place, stated in the F.I.R., that the Applicant has assaulted the victim. However, the statement of injured i.e. Akshay Balaso Jadhav dated 22nd October, 2024 (page 250) shows that in fact, Applicant has tried to prevent other co-accused from assaulting the injured. He submits that Applicant has no antecedents and Applicant will completely cooperate with the investigation.

5. On the other hand, Mr. Karmakar, learned APP strongly opposes the Anticipatory Bail Application. He submits that the Applicant is absconding and therefore, Anticipatory Bail Application be rejected. He submits that warrant has been issued against the Applicant. He further submits that Applicant is involved in a very serious crime and therefore, Anticipatory Bail Application be rejected. However, on instructions he submits that Applicant has no antecedent.

6. Perusal of the record shows that charge sheet is already filed, thus, investigation is completed. As far as the statement of Akshay

Jadhav dated 22.10.2024 who is the injured person in the crime clearly shows that Applicant has in fact tried to prevent assault on the injured by the other co-accused.

7. Mr. Karmakar, learned APP is right in contending that Anticipatory Bail Application be rejected, as warrant has been issued and the Applicant is absconding, however, in this case, the statement of the injured shows that the Applicant has in fact tried to prevent the crime and he has not actively participated in the crime. The Applicant has no antecedent.

8. Accordingly, by imposing certain conditions Anticipatory Bail Application can be granted. In view thereof following order is passed :

ORDER

- (a) In the event of arrest of the Applicant-Yash Rajendra Kambale in connection with C.R. No.213 of 2024 registered with the Malegaon Police Station, Pune Rural, the Applicant is directed to be released on bail on his furnishing P.R. Bond in the sum of Rs.25,000/- with one or two solvent sureties in the like amount.
- (b) The Applicant shall attend the concerned Police Station as and when called.
- (c) The Applicant shall furnish his cell phone number and residential address to the

Investigating Officer and shall keep the same updated, in case of any change thereto.

- (d) The Applicant shall not directly or indirectly make any inducement, threat, or promise to any person acquainted with the facts of the case so as to dissuade such a person from disclosing the facts to the Court or to any Police personnel.
- (e) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.
- (f) The Applicant shall not leave India without prior permission of the Court.

9. The Anticipatory Bail Application is disposed of accordingly.

[MADHAV J. JAMDAR, J.]

DATTAPRASAD
GHANSHYAM
PARAB

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by
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