

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

ANTICIPATORY BAIL APPLICATION NO.3350 OF 2025

Avinash Suresh Kadam & Anr. ... Applicants

V/s.

The State of Maharashtra ... Respondent

Ms. Sonam Pandey for the Applicants.

Ms. A. A. Deshmukh, APP for the Respondent-State.

API Swapnil Bedse, Koparkhairane PS is present.

CORAM : N.R. BORKAR, J.

DATE : 08TH DECEMBER 2025

PC. :

1. This is an Application for anticipatory bail.
2. The Applicants are apprehending their arrest in Crime No.842 of 2025 registered with Koparkhairane Police Station for the offences punishable under Sections 118(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023.
3. According to the prosecution, on the date of incident, which took place on 15th October 2025, the present Applicant and other co-accused assaulted the first informant and his friend Akshay with a cricket bat, wooden stick and beer bottle on account of a trivial issue. It is alleged that in the said incident, they sustained grievous injuries. Accordingly, the present crime was registered.

4. I have heard Learned Counsel for the Applicants and Learned APP for the Respondent-State.

5. Learned Counsel for the Applicants submits that the names of the Applicants are not mentioned in the FIR. It is submitted that there are no criminal antecedents against the present Applicants. It is submitted that the Applicants, without prejudice to their rights and contentions, are willing to pay an amount of Rs.30,000/- to the first informant and injured Akshay, i.e., Rs.15,000/- to each of them, towards the medical expenses. It is submitted that the Applicants are ready and willing to cooperate in the investigation.

6. On the other hand, Learned APP for the Respondent-State submits that the first informant and the injured Akshay were assaulted on vital parts. It is submitted that to recover the wooden stick, etc., the custodial interrogation of the present Applicants is necessary.

7. I have perused the FIR and the statement of injured Akshay. *Prima facie*, the incident does not appear to be premeditated. There are no other criminal antecedents against the present Applicants. Considering the overall facts and circumstances of the case, I am inclined to release the Applicants on anticipatory bail. Hence, the following order:-

ORDER

- i. The Anticipatory Bail Application is allowed.
- ii. In the event of the arrest of the Applicants in Crime No.842 of 2025 registered with Koparkhairane Police Station for the

offences punishable under Sections 118(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023, they shall be released on bail on furnishing a PR Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) each with one or two sureties in the like amount.

- iii. The Applicants shall attend the concerned Police Station on 15th December 2025 and 16th December 2025 and thereafter as and when called for by the investigating officer and shall co-operate in the investigation.
- iv. The Applicants shall hand over the two Demand Drafts of Rs.15,000/- each to the investigating officer within a period of two weeks. The investigating officer shall hand over the said Demand Drafts to the first informant and injured Akshay.

8. The Anticipatory Bail Application is disposed of in the aforesaid terms.

(N.R. BORKAR, J.)