IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 890 OF 2026

Dnyaneshwar @ Mukesh Sahadev Chavan ...Applicant
Versus
The State Of Maharashtra And Anr ...Respondents

WITH
CRI-INTERIM APPLICATION NO. 641 OF 2026
IN
CRIMINAL BAIL APPLICATION NO. 890 OF 2026

Yasin Najib Khan ...Applicant
Versus
The State Of Maharashtra And Anr ...Respondents

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Adv. Ritesh M. Thobde i/b Adv. Mervin Bardeskar, Advocate for Applicant.
Adv. Priyal Sarda (through V.C.), for Intervenor.
Ms. Ashvini A. Takalkar, learned APP for the Respondent-State.
Mr. Ramgude (PC), Kurduwadi Police Station, Solapur Rural, present.

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CORAM : SHAILESH P. BRAHME, J.

DATE : 3rd NOVEMBER, 2026.

P.C. :

. Heard both sides.

2. Applicant is seeking enlargement on bail in offence bearing Crime No. 45 of 2026, registered with Kurduwadi Police Station, District

Solapur Rural for the offences punishable under Sections 109, 118(1), 118(2), 115(2), 352, 351(2), 351(3), 189(2), 190, 191(2), 191(3) of Bharatiya Nyaya Sanhita, 2023 and Sections 92(a), 92(b) of Rights of persons with Disabilities Act. He is arrested on 27/3/2026. The chargesheet is filed on 24/4/2026 against 12 accused. Out of them, six are granted protection by way of pre-arrest.

3. It is reported to the police by the informant who sustained injuries along with his family members that on 22/1/2026 at about 7:30, there was quarrel out of old rivalry with the adjoining landholders who are co-accused. The co-accused Zuber Khan, Omkar Koli, Sachin started abusing the victims and they were armed with sticks. It culminated into free fight and assault on the family members of the informant. Applicant is stated to be amongst them who was armed with stick and assaulting family members of the informant.

4. Learned counsel for the applicant submits that the report was lodged against unidentified persons. No role of the applicant is attributed in the complaint. The role which is disclosed in the supplementary statement is not serious in nature. The statements of the eye-witnesses are unreliable. The medico-legal certificate of Ayesha and Zunaid do not support the prosecution case. No reliance can be placed upon the video which was not part of the chargesheet. The injuries are not on the vital part of the body. On the ground of parity, he is entitled

to be released on bail.

5. Application is contested by respondents. Learned APP submits that applicant participated in the offence by violating conditions imposed on him while releasing him on bail in C.R. No. 512 of 2023. He has been identified in Test Identification Parade. The eye-witnesses are consistent and support the prosecution theory. There are six injured victims. Two antecedents are reported against the applicant. His presence is seen in the video clip.

6. Learned counsel for the victim adopted the submissions of APP.

7. Applicant is not named in the First Information Report. His involvement is disclosed through supplementary statements. The eye-witness Ayesha Khan has named applicant in her statement, though he is from Kurduwadi. The role of the applicant which can be gathered from the statements of the eye-witnesses is that he was amongst the assailants and armed with stick. The co-accused were armed with rod, scythe. He is alleged to have assaulted Ayesha and Junaid.

8. I have gone through medico-legal certificates of Ayesha which discloses two simple injuries and one grievous injury. Similarly, certificate of Junaid also discloses two simple injuries and one grievous injury. The grievous injuries on both the witnesses is on non-vital part of the body. The applicant has not caused the injuries on the vital part of the injured witnesses. He is not from Laul, Taluka Madha, District

Solapur. He is from Kurduwadi. No material is collected to show any *mens rea* to commit any serious offence.

9. The applicant was released on bail in C.R. No. 512 of 2023 by order dated 14/3/2023. Due to his involvement in the present offence, no steps are taken to cancel his bail.

10. Considering the overall circumstances, I am inclined to grant him bail by imposing stringent conditions.

::ORDER::

(i) Bail Application is allowed.

(ii) Applicant Dnyaneshwar @ Mukesh Sahadev Chavan shall be released on bail in Crime No. 45 of 2026, registered with Kurduwadi Police Station, District Solapur Rural for the offences punishable under Sections 109, 118(1), 118(2), 115(2), 352, 351(2), 351(3), 189(2), 190, 191(2), 191(3) of Bharatiya Nyaya Sanhita, 2023 and Sections 92(a), 92(b) of Rights of persons with Disabilities Act on furnishing cash surety of Rs.70,000/- with P.R. Bond of like amount with one or more solvent sureties on the following conditions :

(a) The applicant shall not tamper with the prosecution evidence and contact the prosecution witnesses.

(b) The applicant shall furnish contact number of himself or his close relative/friend.

(c) The applicant shall furnish his contact number and

address to the Investigating Officer.

(d) The applicant Shall surrender his Aadhar Card and PAN Card to the Investigating Officer, if any.

(e) The applicant shall not enter into entire Madha Taluka, Dist. Solapur till final conclusion of the trial.

(f) The applicant shall co-operate for expeditious disposal of the trial and attend the dates punctually.

(g) In case of violation of any of the conditions imposed in this bail order enlarging the applicant on bail shall stand cancelled without further reference to this Court.

(iii) Bail application is disposed of accordingly.

(iv) In view of disposal of bail application, pending application, if any, also stand disposed of.

[SHAILESH P. BRAHME, J.]