IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLN. NO. 973 OF 2026

Mahadev Rangnath Sarwade … Applicant

Vs.

The State of Maharashtra and Anr. … Respondents

UDAY SHIVAJI JAGTAP
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Mr. Shankar Katkar a/w Ms. Tanaya Doke for the Applicant
Mr. C.D. Mane, APP for the Respondent – State
Mr. D.B. Gurav, H.C. Akluj Police Station, Solapur (Rural) present

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CORAM : SHAILESH P. BRAHME, J.

DATE : 3rd NOVEMBER, 2026.

P. C. :

. Heard both sides.

2. The applicant is seeking bail in respect of offence bearing Crime No. 347 of 2026 registered with Akluj Police Station, District Solapur for the offences punishable under Sections 109, 352, 351(2), 351(3), & 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short “BNS”).

3. The applicant is arrested on 07.08.2026. The charge-sheet is filed on 17.08.2026. Accused nos. 1 and 2 are already enlarged on bail vide order dated 19.06.2026 passed by the District and Sessions Court, Malshiras, Dist. Solapur.

4. Learned counsel for the applicant submits that applicant is falsely implicated in the offence. He himself received injuries in assault caused

by Dada Sasane and his fellow members. It is a case of cross-complaint. The dispute is between Viraj on one one hand and family of the applicant's on another hand. No incriminating material is collected against the applicant. The co-accused are released on bail. No antecedent is reported against him.

5. *Per contra*, learned APP would contest the application. My attention is adverted to the medical certificate to show nature of injuries. The victim was required to be operated due to injuries caused by the applicant by iron rod on vital part of the body. The prosecution case is supported by eye-witnesses namely Viraj and Subhash. The applicant is stated to be main assailant.

6. It is reported to the police that the victim had reported severe headache and giddiness on 16.05.2026 to the informant and the family members. On further inquiry, it was disclosed that on 16.05.2026 when he had been to collect the Shirt from Viraj's place at Mhalung, he was being abused by the applicant and the co-accused. He was assaulted by the applicant by iron rod.

7. The informant and the victims are residents of Akluj, which is a distinct place from the spot of incident i.e. Babari Pool, Mhalung, Tal. Malshiras. The applicant and his family members are residents of

Mhalung, in the same vicinity where Datta Sasane and Viraj are residing. There is rivalry between those neighbours residing at Mhalung as the victim was found to be associated with Viraj, member of the rivalry group was subjected to assault. The cross-complaint bearing C.R. No. 348 of 2026 lodged at the instance of Aadesh would indicate the rivalry and counter allegations. The applicant is stated to have received bleeding injuries on the head.

8. I have gone through the statements of eye-witnesses Viraj, Satyasheel, Prem and Subhash. The applicant is attributed assault by iron rod on the head. The injury certificate also shows serious injury on left frontal region of the head. The material placed on record is not sufficient enough to infer intention to kill. In fact, there can not be any motive against the victim - Kaif as such.

9. The co-accused are released on bail although allegations against them are venial in nature. Considering overall circumstances, further incarceration is not required. No antecedents are reported against the applicant. I am, therefore, inclined to grant relief. Hence, I pass following order :-

O R D E R

(i) Bail Application is allowed.

(ii) Applicant – Mahadev Rangnath Sarwade shall be released on bail in connection with Crime No. 347 of 2026 registered with Akluj Police Station, District Solapur for the offences punishable under Sections 109, 352, 351(2), 351(3), & 3(5) of the BNS on furnishing P. R. bond of Rs. 50,000/- (Rupees Fifty Thousand only) with one or more solvent sureties of like amount 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 numbers of himself or his close relative / friend to the Investigating Officer.

(c) The applicant shall inform his whereabouts and contact numbers 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 co-operate for expeditious disposal of the trial and shall attend the dates punctually.

(iii) Bail Application is disposed of accordingly.

(SHAILESH P. BRAHME, J.)