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

CRIMINAL BAIL APPLN. NO. 1013 OF 2026

Ajay Ramesh Chavan ... Applicant
V/s.
State Of Maharashtra And Anr. ... Respondents

Mr. Ramnik Pawar,Puja Deshmukh, Mr. Amit Waykool i/b. Mr. Nadeem Saudagar, Advocate for the Applicant.

Mrs. Shubhangi N. Deshmukh, APP for the Respondents-State.

Mr. Abhijeet Pawar, PSI Shahupuri Police Station Kolhapur present.

CORAM : NEERAJ P. DHOTE, J.

DATED : NOVEMBER 20, 2026

P.C.:

1. This is the application for regular bail in Crime No.216 of 2026 registered with Shahupuri Police Station, Kolhapur, for the offences punishable under Sections 109, 111, 115(2), 189(2), 190, 191(2), 191(3) and 352 read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023, and the offences punishable under Sections 5 and 27 of the Arms Act. Subsequently, Section 111 of the BNS came to be included in the crime.

2. The prosecution case, as seen from the order dated 5th October,

2026 passed by the learned Additional Sessions Judge, Kolhapur, rejecting the bail application of the Applicant, reads as under:

> *"7. It is the prosecution case that, on 28/03/2026, the first informant Manisha Kamble lodged FIR stating that, on 27/03/2026, the accused Ajay Chavan and Aniket Shinde had demanded money to Gaurav Vivek Bhalerao for purchasing liquor and since the Gaurav did not pay money, those accused had abused and beaten him by kicks and fists. In that regard, Crime No.215/2026 has been registered at the Shahupuri Police Station. On 27/03/2026, at about 9.30 p.m., the first informant was at her house along with her sons Aniket and Riyansh. On hearing sound of quarrel, she and Aniket went outside and noticed that, all the accused persons armed with sickle, sword and axes were calling out Gaurav and giving threats that, they won't spare him as he had lodged complaint against them. Thereafter, the accused persons broke open the door of Gaurav's house and caused damage to his property. At about 9.45 p.m., when the accused persons were passing by the said lane, Aniket, who was watching the incident started running towards his house. All the accused chased him and then they abused and beat him by kicks and fists in front of the informant's house. The accused Vrushabh Gaikwad tried to inflict blow of knife on the throat of Aniket but, he somehow saved himself but, Vrushabh gave blows of knife on his back and neck. Then the first informant rescued Aniket from his clutches and took him to CPR Hospital for medical treatment and thereafter, she lodged report with the Police.*
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> *8. From the Police papers it appears that, the accused No.7 i.e. the applicant came to be arrested on 05/04/2026 and since 08/04/2026, he is in magisterial custody. During investigation, one knife and one sickle have been recovered at the instance of the accused No.1, whereas, one sword is recovered at the instance of the applicant. The injury certificate of Aniket transpires four simple injuries, two out of them caused by sharp and cutting object and two caused by hard and blunt object. The X-ray examination does not reveal any fracture injury. Role of the applicant in the alleged incident is of beating the injured with kicks and fists. So far Crime No.215/2026 is concerned, from the FIR in the said Crime it becomes clear that, the said FIR has been lodged by the father of Gaurav Bhalerao and it is in respect of the same incident of 27/03/2026 but only difference is that, the said FIR additionally mentions about causing damage to the mopeds and one handcart as well as household articles of some of the residents of the said*

lane. The said FIR mainly deals with causing damage to the household items in the house of Gaurav Vivek Bhalerao and it does not mention about the further incident of beating and causing hurt to the son of the first informant. Let that as it may, both the crimes are in respect of the series of acts committed in the same incident."

3. It is submitted by the learned counsel for the Applicant that, only on the ground of antecedents, the application has been rejected by the learned Sessions Court. He submits that, the co-accused to whom similar roles are attributed have been enlarged on bail by the learned Sessions Court. He submits that, considering the role attributed to the Applicant, rejecting the application for bail only on the ground of antecedents would not be proper. He submits that, the Applicant is ready to abide by any terms and conditions and is also ready to stay out of Kolhapur District.

4. The application is vehemently opposed by the learned APP. She submits that, the record clearly shows that, there are in all seven crimes registered against the Applicant with Shahupuri Police Station. The Applicant is the gang leader and the Investigating Officer has invoked the provisions of Section 111 of the BNS in this crime. Considering the antecedents, the learned Sessions Court has rightly rejected the application and the Applicant does not deserve bail. Hence, the application be rejected.

5. Undisputedly, the role attributed to the Applicant is that, he assaulted the injured witness with hands and legs. The copies of the

orders dated 3rd October, 2026 and 5th October, 2026 passed by the learned Additional Sessions Judge, Kolhapur, below Exhibit 3 and Exhibit 13 in Sessions Case No.139 of 2026, show that, Accused No.2 - Anurag, Accused No.3 - Ganesh, Accused No.4 - Rohit, Accused No.5 - Mallikarjun and Accused No.8 - Omkar have been released on bail. There is no dispute that, the role attributed to the said co-accused, who have been granted bail by the learned Sessions Court, and the role attributed to the present Applicant is similar, i.e., assault by hands and legs.

6. The order passed by the learned Sessions Court goes to show that, due to the criminal antecedents, the application has been rejected. Perusal of the said orders of the learned Sessions Court, by which the aforesaid co-accused have been released on bail, goes to show that, the said co-accused were also having criminal antecedents, though less in number as compared to the Applicant. It is clear from the said orders that, the Applicant and the said co-accused, who have been released on bail, are accused persons in Crime No.215 of 2026. The report submitted by the learned APP shows that, the Applicant and the said co-accused, who have been granted bail, are co-accused in C.R. No.215 of 2026 and the present crime, i.e., C.R. No.216 of 2026, both registered with Shahupuri Police Station.

7. Considering the role attributed to the Applicant and the factual

aspect that, the co-accused to whom similar roles have been attributed have been granted bail, in my considered view, the Applicant can be enlarged on bail by imposing appropriate conditions. Hence, the following order:

ORDER

(a) The application is allowed.

(b) The Applicant-Ajay Ramesh Chavan be released on bail in terms of P. R. bond of Rs.75,000/-(Rupees Seventy-five Thousand only) with one solvent surety with following conditions :

(c) The applicants 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 him from disclosing the facts to the Court or any Police Officer.

(d) The applicants shall not tamper with the prosecution evidence.

(e) The applicants shall attend the trial on each and every date unless exempted by this Court.

(f) The applicants shall place on record their contact number and residential address and also communicate in case of any change in the same.

(g) The applicant shall keep himself away from Kolhapur District, except for attending the court dates.

(h) The applicant shall attend the concerned police station on every

Wednesday between 10.00 a.m to 11.00 a.m till framing of the Charge or further orders.

(i) The applicants shall not try to contact the injured and his family members till the conclusion of the trial.

8. The Bail Application stands disposed of.

(NEERAJ P. DHOTE, J.)