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

CRIMINAL APPELLATE JURISDICTION

CR. ANTICIPATORY BAIL APPLN. NO. 1654 OF 2023

Kera @ Kerba Laxman Gaikwad ……Applicant
VERSUS
State Of Maharashtra ……Respondent

Mr. Jaydeep Mane a/w Mr. Mihir Mondkar, for Applicant.
Mr. S. H. Yadav, A.P.P., for the Respondent-State.
API, Mr. Kiran Patil, Mohol Police Station, present.

SHANTANU SHANKARSA DHUDUM
Digitally signed by SHANTANU SHANKARSA DHUDUM
Date: 2026.10.07 20:49:33 +0530

CORAM : ASHWIN D. BHOBE, J.
DATE : 7th OCTOBER, 2026.

P.C.

1. Heard, Mr. Jaydeep Mane, learned Advocate for the Applicant and Mr. S. H. Yadav, learned A.P.P. for the Respondent – State.

2. On 14th June, 2023, the following order was passed:

> *"1. This is an application under Section 438 Cr.P.C. filed by the aforesaid Applicant apprehending his arrest in Crime No.821 of 2022 registered with Mohol Police Station, Solapur, for offences under Section 307, 504, 506 r/w. 34 of the Indian Penal Code.*

2. *Heard learned Counsel for the Applicant, learned APP for the State. I have perused the records and considered the submissions advanced by the learned Counsel for the respective parties.*

3. *The aforesaid crime was registered pursuant to the FIR lodged by Akshay @ Lallu Mahadev Gaikwad. The facts narrataed in the FIR prima facie reveals that on 15.09.2022 at about 9.30 a.m., the first informant was informed that the Applicants herein had assaulted his mother. While he was proceeding towards his residence, the Applicant and others stopped him, co-accused Ganesh pelted stones at him due to which he fell down from the motorcycle. It is alleged that the Applicant and others assaulted him by sticks and iron rods. The first informant has also alleged that the Applicant and others had also assaulted his mother and caused serious injuries. The medical certificate reveals that the injuries sustained by the first informant are two contusions and one abrasion, , and his mother sustained one contusion and one lacerated wound. The injuries sustained by the applicant and his mother are simple in nature.*

4. *Considering the nature of the accusation, and particularly the nature of the injuries sustained by the first informant and his mother, in my considered view, this is not a case which would justify custodial interrogation. Moreover, the Applicant is 75 years of age. There are no chances of the applicant absconding or thwarting the course of justice. Hence in my considered view this is a fit case for granting interim bail. Hence the order:-*

(i) In the event of arrest of the Applicant in Crime No.821 of 2022 registered with Mohol Police Station, Solapur, the Applicant be released on interim bail on furnishing bail bond of Rs.25,000/- (Rupees Twentyfive Thousand Only) with one or two sureties

in the like amount;

(ii) The Applicant shall report to the Investigating Officer for two days on 19th and 20th June, 2023, between 11.00 a.m. to 2.00 p.m.;

(iii) The Applicant shall keep the Investigating Officer informed of his current address and mobile/contact details, and/or change of residence or mobile/contact details from time to time.

(iv) The Applicant shall not interfere with the Complainant and the other witnesses, or tamper with the evidence in any manner.

. Stand over to 30.06.2023."

3. Mr. Jaydeep Mane, learned Advocate for the Applicant, states that the Applicant has appeared before the Investigating Officer and has cooperated with the investigation.

4. Mr. S. H. Yadav, learned A.P.P. for the Respondent – State, submits that the Applicant has appeared before the Investigating Officer. He submits that the investigation in Crime No.821 of 2022 is complete and the charge-sheet has been filed. He submits that the Respondent – State proposes to file a supplementary charge-sheet against the Applicant. He, therefore, submits that the Applicant be directed to appear before the Investigating Officer on 12th and 13th October, 2026.

5. Mr. Jaydeep Mane, learned Advocate for the Applicant, on instructions from the Applicant, states that the Applicant shall appear before the Investigating Officer on 12th and 13th October, 2026.

6. In view of the statement made by Mr. S. H. Yadav, learned A.P.P. for the Respondent – State, that the investigation in Crime No.821 of 2022 is complete and the charge-sheet has been filed, further considering that the Applicant has been on interim bail since 14th June, 2023, with no allegation of breach of any of the bail conditions, this Application is allowed by confirming the order dated 14th June, 2023 and making the same absolute in terms of paragraph 4(i), (iii) and (iv), with the following additional condition:

A) The Applicant shall appear and report to the Investigating Officer at Mohol Police Station, District Solapur, on 12th and 13th October, 2026, between 10:00 a.m. and 1:00 p.m., and thereafter as and when required by the Investigating Officer investigating Crime No.821 of 2022.

7. Criminal Anticipatory Bail Application No.1654 of 2023 is disposed of.

(ASHWIN D. BHOBE, J.)