IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL Application NO. 3022 OF 2024

Shrimant Sadashiv Thorat ...Applicant

Versus.

State of Maharashtra ...Respondent

None for the Applicant.

Mr. S. H. Yadav, APP for the Respondent – State.

CORAM : ASHWIN D. BHOBE, J.
DATE : 14th October, 2026.

P.C. :

1. When this Application was called out, neither the Applicant nor the Advocate for the Applicant was present in Court, either in person or through VC mode.

2. As this Anticipatory Bail Application has been pending since 2024, instead of dismissing it for non prosecution same is taken up for disposal with the consent of Mr. S. H. Yadav, learned APP for the Respondent – State.

3. On 29.10.2024, the following order was passed :-

> *1. This is an application for pre-arrest bail by Applicant/Accused No.1 in connection with C.R. No.327/2024 registered with Barshi Taluka Police Station, for the offences punishable u/s.109, 118(1), 189(2), 191(2), 191(3), 190, 115(2), 352, 351(2) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and u/s. 3 r/w. S.25 of Arms Act, 1969 and S.135 of the Bombay Police Act, 1951.*

2. This case is arising out of FIR dated 6/10/2024 filed by Chandrakant Jalindar Honmane. At the out set it is material to note that there is a cross complaint filed by one Mr. Birmal Jagannath Thorat (accused no. 4 in FIR No. 327/24) of the same date - 6/10/2024, in which the sons of Informant Chandrakant Jalindar Honmane (Mahesh Chandrakant Honmane and Ganesh Chandrakant Honmane) are Accused Nos. 8 & 12. Apparently, cross complaints have arisen out of the same incident dated 3/10/2024 which has taken place at the evening during religious procession of a deity.

3. Heard learned counsel for the Applicant/Accused No.1 and learned counsel for the Complainant as well as learned APP for the State.

4. The Applicant's pre-arrest bail application was rejected by the Additional Sessions Judge-1 Barshi on 23/10/2024. Thereafter, present application was immediately filed on 24/10/2024 and is being taken up today.

5. Learned counsel for the Applicant points that during investigation, a report was submitted on 15/10/2024 by the PSI Barshi Taluka Police Station in which it is stated in the concluding paragraph that, even though apparently the Applicant does not appear to be involved in the incident, further investigation is necessary. It appears that at the grievance of the Complainant, this Investigating Officer was changed and subsequently one more report of 21/10/2024 was submitted by the another Investigating Officer who was of the higher rank being Assistant Police Inspector. This second report states in concluding paragraph that even if the Applicant does not appear to be at the incident based on technical analysis, it is necessary to investigate further in view of the statements of witnesses as well as Complainant.

6. Perusal of the report would show that apparently this technical analysis is in respect of CDR of the Applicant's mobile and CCTV footage sought to be relied upon by the Applicant to contend that the Applicant was at some other place at the time of incident.

7. The matter is urgently moved in the vacation and it is apparent that same cannot be finally heard today. The learned APP submits that he wants to rely upon certain statements recorded during the investigation. I have also heard learned counsel for the Complainant who has opposed grant of any protection in the present matter by making submissions on merits.

8. In order that no prejudice is caused to rival contentions, I am refraining from observing any further in the matter regarding the merits.

9. In the facts and circumstances and considering that the Anticipatory Bail Application was rejected on 23/10/2024 and the Applicant has immediately approached this Court by the present application, a case for ad-interim protection is made out.

10. Hence, following ad-interim order is passed.

i. In the event of arrest of the Applicant/Accused No.1 Shrimant Sadashiv Thorat in connection with C.R. No.327/2024 registered with Barshi Taluka Police Station, he be released on bail on executing P.R.Bond of Rs.50,000/- with one or more surety in like amount.

ii. The Applicant is directed not to tamper with prosecution evidence and not to influence any of the witnesses involved.

iii. The Applicant is directed to co-operate with the investigation and also directed to report to the concerned Police Station initially on 5/11/2024 and thereafter, as and when required.

11. Place this application before the regular Court on 14/11/2024 for further hearing.

12. All concerned to act on authenticated or digitally signed copy of this order.

4. Mr. S. H. Yadav, learned APP, tenders the Report dated 13.10.2026, submitted by the Assistant Police Inspector, Barshi Taluka Police Station, in Crime No. 327 of 2024, same is taken on record and marked with **"X"** for identification.

5. Mr. S. H. Yadav, learned APP, in all fairness by referring to the Report dated 13.10.2026 (X), submits that during the investigation of Crime No. 327 of 2024, the Investigating Officer at Barshi Taluka Police Station did not find any involvement of the Applicant in Crime No. 327

of 2024. He therefore submits that the chargesheet has not been filed against the Applicant in respect of the offences in Crime No. 327 of 2024.

6. Based on the statement made by Mr. S. H. Yadav, learned APP, notwithstanding the absence of the Advocate for the Applicant, this Application is disposed of by confirming the order dated 29.10.2024 and making it absolute in terms of Paragraph No. 10(i) and (ii).

7. Anticipatory Bail Application No. 3022 of 2024 is disposed of.

(ASHWIN D. BHOBE, J.)

ARJUN KRISHNA RODGE

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Date: 2026.10.15 11:07:43 +0530