

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

CRIMINAL BAIL APPLICATION NO. 3590 OF 2025

Aakib Javed Mulla	...Applicant
Vs.	
State of Maharashtra	...Respondent

Mr. Prashant Edake a/w Mr. Pawan Waykule, for Applicant.

Dr. A. A. Takalkar, APP, for the Respondent-State.

Mr. Ankush e. Jadhav, PC, Barshi City Police Station, Solapur Rural,
present.

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 28th JANUARY 2026.

P.C.

1. The Applicant seeks bail in connection with Crime No.541 of 2025 registered with Barshi City Police Station, Solapur Rural, for the offences punishable under Sections 109(1), 118(1), 118(2), 351(2), 351(3), 352, 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short, “BNS Act”) and Section 25 read with Section 4 of the Arms Act, 1959.

2. Prosecution case in short is that when the Complainant was going towards his brick kiln on motorcycle Shivaji Shinde gave cut to his motorcycle. Mahesh Pawar was accompanying them. When he inquired, they both started abusing him. He ignored them and started

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going towards his brick kiln. After one hour, when he was present at his brick kiln Shivaji Shinde, Mahesh Pawar, Santosh Kadam and one unknown person came on two motorcycles. Shivaji Shinde and Mahesh Pawar were carrying sharp sickle, whereas Santosh Kadam was carrying wooden stick. On seeking him Shivaji Shinde told the persons accompanying him to assault him and kill him. Shivaji Shinde with the intention to commit murder assaulted on his head on right and left side and caused grievous injury. Mahesh Pawar assaulted him on his backside of his head. He avoided one attempt on his head, due to which his three fingers were injured. When he fell down on the ground, Santosh Kadam assaulted on his back with wooden stick and the unknown person threw brick on his back.

3. Pursuant to the registration of the crime, the Applicant is arrested on 3rd July, 2025. On completion of investigation, charge-sheet is filed on 23rd December, 2025. Perusal of charge-sheet shows that, the allegations against the Applicant are that he has threw bricks and caused injury on back of the injured. The injury certificate does not support the same.

4. The trial is not likely to commence and conclude in the near future. Though, there is one criminal antecedent against the Applicant, but that cannot be a sole ground to deny bail to the

Applicant. Applicant's further custodial detention would amount to pre-trial punishment.

5. In the result, the Application is allowed.
6. The Applicant - Aakib Javed Mulla be released on bail in connection with Crime No.541 of 2025 registered with Barshi City Police Station, Solapur Rural, on executing Personal Bond of Rs.25,000/- with one surety in the like amount.
7. The Applicant shall inform his address to the concerned police station and shall attend the trial regularly.
8. The Applicant shall not tamper the prosecution evidence.

(NITIN B. SURYAWANSHI, J.)