

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.3602 OF 2025**

Salim Abdul TamboliApplicant

Vs.

The State of MaharashtraRespondent

Mr. Swaroop M. Karade, for the Applicant.

Mr. Pankaj P. Deokar, APP, for the Respondent-State

Mr. Bhosale, HC/1717 Velapur Police Station, Akuj is present.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATED : 10th FEBRUARY 2026

PC.:-

1. The Applicant is arrested in Crime Registration No.440 of 2025 registered with Akuj Police Station, District Solapur for the offences punishable under Sections 109, 118(1), 115(2), 352, 351(2), 351(3), 324(4), 189(2), 191(2), 191(3) & 190 of Bharatiya Nyaya Sanhita and Section 135 of the Maharashtra Police Act, 1951.

2. The first informant was driving his four wheeler. A vehicle suddenly crossed the informant's car in rash manner. The informant noticed that the Applicant was driving the vehicle and the co-accused Nos.1 and 2 were sitting in the vehicle. Informant noticed that same car was following his car. After driving some time, informant realized that the two more vehicles were joined the pursuit. The

informant parked his car near a sugarcane field in order to get rid of the Applicant and the co-accused. He realized that three vehicles had followed him to the sugarcane field. The informant hide in the sugarcane field. The co-accused noticing the informant hiding in the sugarcane field started pelting stones towards the field. In the meanwhile, the informant called the police and sought help to get out of the situation. The co-accused started pelting stones in aggressive manner. The informant moved to the corner of the field. Upon moving to the corner, the informant saw that the accused Nos.1 to 7 were holding weapons in their hands. The said weapons were sickle, wooden stick and the iron rod etc. They assaulted informant by means of sickle, rod and wooden stick.

3. The counsel for Applicant has stated that initially the offence under the Maharashtra Control Of Organised Crime Act, 1999 was registered against this Applicant, but thereafter it was dropped. As per the statements of witnesses, the role played by this Applicant is he was pelting stones. Though the injury certificate shows that there was fracture to the nose of informant, the other co-accused, who were holding the weapons caused that injury. There is only one

antecedent against this Applicant. He is in jail since last seven months. Considering the role played by this Applicant, prayed to release him on bail.

4. The learned APP opposed the application stating that the grievous injury caused to the injured. The 13 accused assaulted a person coming him in a field with deadly weapons. As the assault was on head, the intention was to kill the injured. Though the role attributed to him is pelting stones, considering the injuries caused to the injured, prayed to reject the application

5. Heard learned counsel appearing for both the parties.

6. On perusal of FIR, it appears that 13 persons assaulted one person with deadly weapons like sickle and iron rod. The role attributed to this Applicant is of pelting stones. The incident took place out of enmity between two groups. The group of which the Applicant was member has lodged the FIR prior to this FIR. Considering the role played by this Applicant, the case is made out to release the Applicant on bail. Hence, the Application is allowed on the following terms and conditions.

- i) The Applicant, namely, Salim Abdul Tamboli shall be released on bail on furnishing personal bond of Rs.25,000/- with his recent self-attested photograph and surety of the like amount on the following conditions at the satisfaction of the investigating officer;
- ii) The Applicant shall not directly or indirectly make any inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer;
- iii) The Applicant shall not obstruct or hamper the police investigation and not to play mischief with the evidence collected or yet to be collected by the police;
- iv) The Applicant shall maintain law and order;
- v) The Applicant shall, at the time of execution of the bond, furnish his address and mobile number to the investigating officer, and the court concerned, and shall not change the residence till the final disposal of the case;
- vi) The Applicant shall regularly remain present during the trial, and cooperate with the learend trial court to complete the trial for the above offences.

(MRS. VRUSHALI V. JOSHI, J.)