

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLN. NO. 256 OF 2026

DNYANESHWAR BHAGWAN BHOSALE

VERSUS

STATE OF MAHARASHTRA AND ANR

Advocate for Applicant : Mr. Prashant Edake a/w Mr. Pavan
Waykule and Mr. Akash Tawade

APP for Respondents-State : Mr. A. S. Shalgaonkar

CORAM : SACHIN S. DESHMUKH, J.

Date : 1st April, 2026

ORDER :-

1. The applicant has approached this Court seeking regular bail in connection with FIR dated 03.06.2025 bearing Crime No. 183 of 2025 registered with Vairag Police Station, Dist. Solapur for the offences punishable under Sections 109, 118(2), 232, 118(1), 189(2), 190, 191(2), 191(3), 351(2), 351(3), 352 of the Bharatiya Nyaya Sanhita, 2023 and Sections 4 read with 25 of the Indian Arms Act.

2. The case of the prosecution is that approximately eight days prior to the incident, an acquaintance named Janeshwar Bhagwan Bhosale approached the informant at the Rui bus stand and threatened to kill him if testifies in the pending matter

concerning Kalyan Janardhan Patil.

3. The further prosecution case is that on 31.05.2025 approximately at 21:30, the informant was walking home after visiting the Datta temple near the village bus stand. As he reached a high-mast light pole, he was intercepted by Janeshwar Bhagwan Bhosale, Rohit Vaijinath Bhosale, Sanket Janeshwar Bhosale, Sumit Janeshwar Bhosale, and Jayash Vaijinath Bhosale. The group confronted him regarding his intention to testify in the Kalyan Patil case. The assailants were armed with various weapons including an axe, a sword, an iron rod, an iron pipe, and an air wall pipe.

4. During the assault, Rohit struck the informant's right leg with a sword while threatening. Janeshwar used the blunt side of an axe to strike the informant's head, declaring his intent to kill him. Sanket inflicted a serious injury to the informant's right leg using an iron rod, while Sumit and Jayash repeatedly struck him with an iron pipe and an air wall pipe. Despite the informant's pleas for mercy, Janeshwar attempted a lethal blow with the axe which the informant narrowly avoided by falling to the ground.

5. Before fleeing the scene, Sumit caused a severe injury

to the informant's left hand with the iron pipe. Dheeraj Bhagwat Bhosale and Samarth Bhagwat Bhosale subsequently transported the bleeding informant to Civil Hospital Dharashiv for emergency care. He was later transferred to Suvidha Hospital for continued medical attention.

6. The learned counsel for the applicant submits that the applicant has been falsely implicated in the present crime due to long-standing village rivalry and a pending legal dispute involving one Kalyan Janardhan Patil. The allegations leveled against the applicant are inherently improbable and appear to be a result of a coordinated effort by the informant to settle personal scores. The investigation is complete and the charge-sheet has already been filed, there is no risk of the applicant tampering with evidence. Hence, it is prayed that the application be allowed.

7. The learned APP opposed the application, submitting that the offence is serious in nature and there is sufficient material on record to establish the applicant's complicity. Furthermore, the APP argued that if the applicant is released on bail, there is every possibility of the prosecution evidence being tampered with or the offence being repeated. Accordingly, it was prayed that the

application be rejected.

8. Upon considering the submissions of both sides and perusing the material on record, including the charge-sheet, the prosecution case is in relation to an incident dated 31.05.2025 where the informant alleges was assaulted by five named individuals, including the applicant to prevent him from testifying in a separate criminal matter.

9. A perusal of the record prima facie indicates that the informant has already been discharged from Suvidha Hospital. This indicates that the injuries sustained, while serious at the time of the incident, are no longer life-threatening. Moreover, there is no material placed before this court to indicate that the applicant has a criminal antecedence or that there is a high risk of him absconding from the jurisdiction of this court. The dispute prima facie appears to be rooted in local village rivalry and a specific pending case, which can be taken care of by stringent conditions rather than pretrial detention.

10. Nevertheless, the investigation is complete for all intent and purpose and the charge-sheet is filed. Having regard to the number of witnesses which the prosecution proposes to examine, it

is very unlikely that the trial can be commenced and concluded within a reasonable period. The arrest of the applicant has been effected on 31.08.2025 and since then, he is in jail.

11. As such, further detention of the applicant as an under trial prisoner, in the circumstances of the case, does not seem to be either warranted or justifiable. I am, therefore, persuaded to exercise the discretion in favour of the applicant. The apprehension expressed by the learned APP about tampering with the prosecution evidence can be adequately taken care of by imposing stringent conditions.

12. Hence, the following order:

ORDER

- (I) Application is **allowed**.
- (II) Applicant – Dnyaneshwar Bhagwan Bhosale be released on regular bail on furnishing P.R. bond of Rs. 50,000/- (Fifty Thousand Only) with one or two local solvent sureties in the like amount, in Crime No. 183 of 2025 registered with Vairag Police Station, Dist. Solapur for the offences punishable under Sections 109, 118(2), 232, 118(1), 189(2), 190, 191(2), 191(3), 351(2), 351(3), 352 of the Bharatiya Nyaya Sanhita, 2023 and Sections 4 read with 25 of the

Indian Arms Act, on the following conditions :-

- (a) The applicant shall attend each and every date of the Trial Court unless exempted by the Trial Court.
 - (b) The applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
 - (c) The applicant shall submit his Aadhar and Pan Card to the Investigation Officer and detailed addresses and phone numbers of applicant and two of the near relatives.
 - (d) Breach of any of the conditions by the applicant would entail the cancellation of the bail.
- (iii) Needless to states that the observations rendered herein are to the extent of this application and the trial court shall not be influenced by the same.

(SACHIN S. DESHMUKH, J.)

Omkar Joshi