

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLN. NO. 257 OF 2026

MAHARUDRA ALIAS MAHESH VAIJINATH PATIL
VERSUS
THE STATE OF MAHARASHTRA AND ANR

Advocate for Applicant : Mr. Prabodhan Jadhav a/w Mr. Kiran
Ghodake
APP for Respondent-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 04.05.2025 bearing Crime No. 287 of 2025 registered with Tembhurni Police Station, Dist. Solapur for the offences punishable under Sections 109, 118(1), 333, 352, 351(3), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. The prosecution case alleges that a dispute arose between the complainant's son and son-in-law and the applicant over a fare amount Rs. 2,100/-. On 03.05.2025, at approximately 07:00 am, the applicant arrived at the complainant's residence in an intoxicated state and began shouting abuses. When the

complainant questioned this behavior, the applicant directed further abuse toward the son-in-law and issued a death threat against him.

3. The case further details an incident occurring later that evening on 03.05.2025 at 08:45 pm. While the complainant was at home with his family, the applicant, alongside co-accused Himmatrav Patil and Anantrao Patil, arrived suddenly. It is alleged that co-accused Himmatrav Patil assaulted the complainant on his left hand with a sickle. As the complainant attempted to flee, Himmatrav declared he would not leave him alive and struck him on the back with the weapon.

4. Upon the complainant falling to the ground, Himmatrav continued the assault with the sickle, targeting the complainant's face and head, resulting in injuries. During this time, the applicant allegedly began assaulting the complainant using a wire. When the complainant's family members intervened to rescue him, the co-accused Himmatrav also assaulted them with the sickle.

5. The learned counsel for the applicant submits that the specific role attributed to the applicant is only alleged to have used

a wire and there are no corresponding injuries. 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.

6. The learned APP opposed the application, submitting that the offence is serious in nature and that 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. Accordingly, it was prayed that the application be rejected.

7. Upon considering the submissions of both sides and perusing the material on record, including the charge-sheet, a perusal of the FIR prima facie reveals a significant disparity in the roles attributed to the accused. The co-accused, Himmatrav Patil, is alleged to have used a sickle, a deadly weapon, targeting vital parts such as the head and face. The applicant is alleged to have used a wire; however, there is an absence of corresponding injuries. Since the most grievous injuries are prima facie attributable to a sharp-edged weapon held by a co-accused, the applicant's role

warrants consideration for bail.

8. The genesis of the incident lies in a sudden quarrel over a trivial monetary dispute regarding a fare of Rs. 2,100/-. The use of a wire by the applicant, as opposed to a lethal weapon, prima facie indicates a lack of motive. The incident appears to be an escalation of a spontaneous verbal spat rather than a pre-planned conspiracy to commit murder.

9. 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 04.05.2025 and since then, he is in jail.

10. 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.

11. Hence, the following order:

ORDER

- (I) Application is **allowed**.
- (II) Applicant – Maharudra @ Mahesh Vaijinath Patil 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. 287 of 2025 registered with Tembhurni Police Station, Dist. Solapur for the offences punishable under Sections 109, 118(1), 333, 352, 351(3), 3(5) of the Bharatiya Nyaya Sanhita, 2023, 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