

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR

CRIMINAL APPELLATE JURISDICTION

CR. ANTICIPATORY BAIL APPLN. NO. 84 OF 2026

Tushar Vishnu Bhosale ... Applicant

Versus

The State Of Maharashtra And Ors. ... Respondents

WITH

CR. ANTICIPATORY BAIL APPLN. NO. 85 OF 2026

Rohan Shivaji Gaikwad ... Applicant

Versus

The State Of Maharashtra And Ors. ... Respondents

WITH

CR. ANTICIPATORY BAIL APPLN. NO. 86 OF 2026

Ritesh Vishnu Bhosale ... Applicant

Versus

The State Of Maharashtra And Ors. ... Respondents

WITH

CR. ANTICIPATORY BAIL APPLN. NO. 88 OF 2026

Omkar Ramchandra Gholap ... Applicant

Versus

The State Of Maharashtra And Ors. ... Respondents

Mr. Avesh Ghadge a/w. Mr. Aditya Ghadge for the Applicants.
Mr. A. S. Shalgaonkar, A.P.P. for the Respondent Nos.1 & 2-State in ABA/84/2026.
Mrs. S.N. Deshmukh, A.P.P. for the Respondent Nos.1 & 2-State in ABA/85/2026.
Mr. Nitin B. Patil, A.P.P. for the Respondent Nos.1 & 2-State in ABA/86/2026.
Mr. S. V. Gavand, A.P.P. for the Respondent Nos.1 & 2-State in ABA/88/2026.
Mr. Vardhaman V. Kadam for the Respondent No.3-complainant in all matters.
Officer :- PSI Mr. Dinesh Shinde, Phaltan City Police Station, present.

Coram : MEHROZ K. PATHAN, J.

Date : 15th June 2026.

PER COURT :

1. The Applicants have approached this Court seeking anticipatory bail in connection with F.I.R. No. 0347 of 2025, dated 26/10/2025, registered with Phaltan City Police Station, District Satara, for the offences punishable under Sections 74, 118(2), 115(2), 351(2), 351(3), 189(2), 189(4), 191(2), 191(3), 190 of The Bharatiya Nyaya Sanhita, 2023 (BNS) and Sections 8, 12 of The Protection of Children from Sexual Offences Act, 2012 (POCSO).

2. The case of the prosecution is that :

It is alleged that on 24/10/2025, at about 8:00 p.m. in the turmeric ceremony of marriage of Pratiksha Bhosale, main accused Ritesh Bhosale come in front of victim frequently and gave bad gestures by eyes. When complainant informed about it to her parents, they communicated said fact to parents of main accused Ritesh. On 26/10/2025 in marriage ceremony arranged in Abhiram Lawns situated at Algudewadi, Tal. Phaltan, District

Satara, at about 12:30 p.m. main accused Ritesh Bhosale caught hold hand of victim and dragged her when she was proceeding to the room for changing her clothes. At that time, victim resisted accused Ritesh Bhosale. The said incident was witnessed by aunt of victim. When she asked accused Ritesh as to why he is present there, he left the place. Then cousin of victim, Rohan Sambhaji Nikalje have asked accused Ritesh Bhosale as to why he caught hold hand of victim. At that time, accused Ritesh Bhosale and Tushar Bhosale assaulted them by hand and threatened them. Then all accused arrived on the spot of incident and assaulted boys/persons standing outside the Abhiram Lawns by fist and kick blows. At that time, all accused assaulted injured Suraj Bhimrao Bhosale by pelting stones and thereby caused grievous injuries on his head and forehead.

3. Learned counsel for the Applicants Mr. Ghadge submits that the Applicants were protected by an interim order dated 17/03/2026 passed by this Court. There are no allegations of complainant's flouting the conditions or indulging into any threats to the complainant. The Applicants are not having any criminal antecedents and are ready to abide by any conditions that may be imposed by this Court. The First Information Report is an outcome of the incident, which is took place at the spur of the moment. There are no direct allegations or any specific overt act mentioned by the witnesses against any of the Applicants. The allegations are general in

nature. There is no direct evidence to connect the Applicants in the said crime. The First Information Report is an exaggerated version of the F.I.R. with an intention to include all the family members of the Applicants in the present crime. Thus, the Applicants may be released on anticipatory bail by confirming the interim order dated 17/03/2026.

4. As against this, learned A.P.P. strongly opposes the anticipatory bail applications on the ground that the young girl was harassed physically by the Applicants and particularly, the Applicant Ritesh Bhosale has gone to the extent of catching hold of the hand of the complainant. There are eye witnesses to the said incident, namely, Poonam Bhosale and one Chandrakant Bhosale, who was informed about the Applicant Ritesh Bhosale harassing the complainant. The victim Suraj Bhosale was assaulted by the Applicants and other persons accompanying them by means of stone thereby resulting in serious injuries. The Injury Certificate of Suraj Bhosale shows that the injuries were grievous in nature. Thus, this is not a fit case to release the Applicants on anticipatory bail. If the Applicants are released on anticipatory bail, there is every likelihood that the Applicants may threaten the complainant and further commit any cognizable offence. Thus, these Applications may be rejected.

5. I have gone through the investigation papers made available by the learned A.P.P., which is resulted into filing of the chargesheet against the

accused Avishkar Bhosale, who was already released on anticipatory bail by the learned Sessions Court; whereas the Applicants are shown as absconding. The perusal of the investigation papers shows that there are statements of injured witness Suraj Bhosale and other relevant witnesses, namely, Poonam Nikalje and Chandrakant Bhosale. The perusal of the statements of the said relevant witnesses does not show any direct overt act on the part of the Applicants. The injured witness Suraj Bhosale does not specify any of the present Applicants having assaulted by means of stone. The allegations are general in nature. However, these observations are *prima facie* in nature and shall not influence the learned Trial Court.

6. Taking into consideration that the Applicants have no criminal antecedents and that they were protected by order dated 17/03/2026, and that the entire investigation is already complete, no fruitful purpose would be served by subjecting the Applicants to custodial interrogation. The apprehension of the learned A.P.P. can be taken care of by imposing stringent conditions upon the Applicants. Hence, following order is passed :-

ORDER

- i. In the event of arrest of the Applicants – Tushar Vishnu Bhosale, Rohan Shivaji Gaikwad, Ritesh Vishnu Bhosale and Omkar Ramchandra Gholap, they be released on bail on furnishing P.R. Bond of Rs. 50,000/- (Rupees Fifty Thousand only) each, with one

or two solvent sureties in the like amount, in connection with F.I.R. No. 0347 of 2025, dated 26/10/2025, registered with Phaltan City Police Station, District Satara, for the offences punishable under Sections 74, 118(2), 115(2), 351(2), 351(3), 189(2), 189(4), 191(2), 191(3), 190 of The Bharatiya Nyaya Sanhita, 2023 (BNS) and Sections 8, 12 of The Protection of Children from Sexual Offences Act, 2012 (POCSO), on the following conditions :-

- (A) The Applicants shall attend the concerned Police Station and report to the Investigating Officer on every Friday and Saturday, between 11:00 a.m. and 02:00 p.m. till filing of the additional charge-sheet / supplementary charge-sheet, if any, against the present Applicants.
- (B) The Applicants shall also co-operate with the investigation.
- (C) The Applicants shall not tamper with the prosecution evidence and shall not contact the complainant. Any attempt on the part of the Applicants to threaten the prosecution witnesses shall entitle the prosecution to seek cancellation of bail.
- (D) The Applicants shall submit copy of their Aadhar Card and Pan Card to the Investigating Officer along with mobile numbers and addresses of two of their near relatives.

7. All these Applications are disposed of in the aforesaid terms.

Digitally signed
by OMKAR
SHIVAHAR
KUMBHAKARN
Date:
2026.06.16
14:46:00
+0530

[MEHROZ K. PATHAN, J.]