

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

CRIMINAL APPELLATE JURISDICTION

CR. ANTICIPATORY BAIL APPLN. NO. 247 OF 2026

Chaitanya Bibhishan Chaugule ... Applicant

Versus

The State Of Maharashtra And Ors. ... Respondent

Mr. Hrishikesh S. Shinde a/w. Ms. Neha Deshpande for the Applicant.

Mr. Shrikant H. Yadav, A.P.P. for the Respondent Nos.1 & 2-State.

Mr. Abhang M. Suryawanshi for the Respondent No.3.

Coram : MEHROZ K. PATHAN, J.

Date : 10th June 2026.

PER COURT :

1. The Applicant has approached this Court seeking anticipatory bail in connection with F.I.R. No. 0239 of 2025, dated 26/10/2025, registered with Madha Police Station, Solapur Rural, for the offence punishable under Sections 109, 118(1), 351(3), 352, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. The case of the prosecution is as under :

It appears that one Pandurang Gorakh Chaugule lodged complaint

before Madha Police Station on 25/10/2025 alleging therein. On 24/10/2025 at about 8:45 a.m. he was present in his house, at that time his brother Bibhishan and his son Chaitanya called to him to come out of house. They abused to him on the basis of tractor. At that time, accused Bibhishan caught hold his collar and told to his son (Chaitanya) to finish him. Thereafter, accused Chaitanya assaulted to him by means of handle pickaxe on his head. Then his friends Rama Sayabu Rawade, his daughter Monali Gund and one Saurabh Santosh Mali had come on spot and they intervened the said quarrel. Then, immediately he was admitted in Om Hospital, Ahamadnagar and medical treatment was given to him. He was referred to Binit Hospital, Solapur for further treatment. After retaining conscious he then lodged the complaint before concerned Police Station.

3. Learned counsel for the Applicant Mr. Shinde submits that the Applicant is falsely implicated in the present crime due to the enmity between the Applicant's father and the complainant / real brother out of family dispute. The father of the Applicant, who is also an accused in the present crime, was already arrested and released on regular bail. The Applicant is protected by interim order dated 04/05/2026 and has attended the Police Station and cooperated with the investigation. The Applicant is falsely implicated in the present crime. The Applicant is a doctor, who is recently completed his MBBS. The Applicant is not having any criminal antecedents

and is ready to abide by any conditions that may be imposed by this Court. Hence, the Applicant may be protected by confirming the interim relief dated 04/05/2026.

4. As against this, the learned A.P.P. strongly opposed the bail application on the ground that the Applicant is charged with the offence of attempt to commit murder. The Applicant is alleged to have used dangerous weapon to give the blow upon the vital part of the victim. The offence is punishable with life imprisonment. The custodial interrogation of the Applicant is thus necessary. There are statements of witnesses as well as the medical evidence, which corroborates the allegations in the F.I.R.. If the Applicant is released on bail, there is every likelihood that the Applicant may again indulge into identical cognizable offence and thereby disturb the law and order.

5. The learned counsel appearing for the complainant submits that he has no objection to release the Applicant on an anticipatory bail by confirming the interim order as the Applicant and the complainant are real brothers and due to intervention of the family members, they have amicably settled the issue and hence, the complainant has no objection for releasing the Applicant on bail.

6. I have gone through the investigation papers, which has now culminated into filing of Charge-sheet against the arrested accused. The perusal of the First Information Report shows that there are allegations

against the present Applicant. However, the Applicant and the complainant are nephew and uncle, the Applicant is MBBS doctor, who was protected by an interim order dated 04/05/2026. The injury certificate of the complainant shows that he has received only simple injuries. The Applicant was already protected vide interim order dated 04.05.2026 and there is no violation of the interim reported by the State. Since, the complainant has already given no objection, there is no likelihood of the Applicant again indulging into the same offence, however, the apprehension of the learned A.P.P. can be taken care of by imposing appropriate conditions. Hence, I am inclined to confirm the interim order. Hence, the following order :

ORDER

- (i) The order dated 04/05/2026 is hereby confirmed.
- (ii) The Applicant shall attend the Investigating Officer on every Monday between 10:00 a.m. to 12:00 noon till filing of the supplementary charge-sheet, if any, against the present Applicant.
- (iii) The Applicant shall also cooperate with the investigation.
- (iv) The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
- (v) The Applicant shall submit copy of his Aadhar Card and Pan Card to the Investigating Officer along with mobile numbers and addresses of two of his near relatives.

7. Needless to say, violation of any of the aforesaid conditions may entitle the prosecution to seek cancellation of the interim relief granted herein above.
8. Application stands disposed of in aforesaid terms.

[MEHROZ K. PATHAN, J.]