

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 187 OF 2026

1. Appa Tukaram @ Thakaram Virkar	
2. Abhishek Appa Virkar	...Applicants
<u>VERSUS</u>	
State Of Maharashtra And Anr.	...Respondents

**WITH
CRI-INTERIM APPLICATION NO. 254 OF 2026
IN
ANTICIPATORY BAIL APPLICATION NO. 187 OF 2026**

Kshitija Kantilal Patil	...Applicants
<u>VERSUS</u>	
The State Of Maharashtra	...Respondent

Mr. Sachin Bhavar a/w Maruti Sarkar for the Applicants.
Mr. S. S. Chaudhari, APP for the Non-applicant-State.
Mr. Jaydeep Mane (Through V. C.) for the Intervenor.
PSI- H. D. Jare, Malshiras Police Station.

CORAM : M. W. CHANDWANI, J.

DATE : 28th APRIL, 2026.

P.C.

1. The Applicants are apprehending arrest in connection with Crime No.37 of 2026 registered with Police Station, Malshiras, Dist. Solapur Rural for the offences punishable under Sections 87, 352, 351(2), 115(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. Heard the learned counsel for the Applicants, learned APP for the Non-applicant/State and the learned counsel for the Intervenor.

3. Having gone through the case diary, it appears that the Complainant was well acquainted with co-accused Rushikesh. In December, 2025, the Complainant's marriage ceremony was fixed with one Pankaj Tukaram Wadhmode which was not liked by co-accused Rushikesh. He tried to convince the father of the Complainant. It is alleged that on 05.01.2026 when the Complainant arrived at Samirgandhi Mahavidyalaya to attend her college, co-accused Rushikesh was already present there. He took the Complainant with him and performed registered marriage with her under threat and assaulted her.

4. It is the contention of the learned counsel for the Applicants that Applicant No. 1 is the father and Applicant No. 2 is the brother of co-accused, Rushikesh. It is submitted that after the marriage, co-accused Rushikesh brought the Complainant to his residence. The only allegation against the present Applicants is that they allegedly threatened the Complainant by stating that since she is now married with Rushikesh, she should remain silent. Further allegation is that they accompanied her to the Police Station, where her statement was recorded to the effect that she has voluntarily married with Rushikesh.

5. It is further submitted that the primary allegations of kidnapping and compelling the Complainant to marry are against co-accused Rushikesh. Nothing is required to be seized from the Applicants, since the charge-sheet has already been filed against the Applicants, which goes to show that the investigation is completed in all aspects.

6. Considering the role attributed to the present Applicants, it *prima facie* appears that they have no involvement in the alleged acts of kidnapping or compelling the Complainant to marry with the co-accused. Considering these aspects, a case is made out for grant of anticipatory bail to the present Applicants. Hence, the following order :

I. The application is allowed.

- II. In the event of arrest of Applicants – Appa Tukaram @ Thakaram Virkar and Abhishek Appa Virkar in connection with Crime No.37 of 2026 registered with Police Station, Malshiras, Dist. Solapur Rural for the offences punishable under Sections 87, 352, 351(2), 115(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023, they be released on bail on furnishing a PR bond of Rs.25,000/- each with one solvent surety each in the like amount.
 - III. The Applicants shall attend the concerned police station on 01.05.2026 and 05.05.2026 between 10.00am to 12.00pm (noon) and shall co-operate in the investigation.
 - IV. The Applicants shall not indulge in tampering with the prosecution evidence or threaten the prosecution witnesses in any manner.
7. With this, the Application stands disposed of.
 8. In view of disposal of the Anticipatory Bail Application, the Interim Application does not survive and stands disposed of.

[M. W. CHANDWANI, J.]