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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1262 OF 2026

Somnath Ramesh Lokhande …Applicant

Vs.

State of Maharashtra
(At the instance of Sr.P.I. Malegaon Police Station) …Respondent

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Mr. Prashant Subhash Hagare a/w. Ms. Ekta Patil and Mr. Utkarsh Pondkule, for the Applicant.
Ms. M.P. Tidke, APP for the Respondent-State.

CORAM: MADHAV J. JAMDAR, J.
DATE : 17th AUGUST, 2026

P. C.:

1. Heard Mr. Prashant Hagare, learned counsel appearing for the Applicant and Ms. Tidke, learned APP appearing for the Respondent-State.

2. This Anticipatory Bail Application is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking pre-arrest bail in connection with C.R. No.294 of 2025 registered with Malegaon Police Station, Pune Rural for the offences punishable under Sections 109, 118(2), 118(1), 140(1), 126(2), 189(2), 190, 191(1), 191(2) and 191(3) of the Bharatiya Nagarik Suraksha

Sanhita, 2023 and Section 135 of the Maharashtra Police Act, 1951.

3. It is the submission of Mr. Hagare, learned counsel appearing for the Applicant that one of the eye witness to the incident who is a third eye witness, namely, Abhishek @ Bali Sunil Kokare has stated that the present Applicant was not present when the incident took place and he has not assaulted the injured.

4. On the other hand, Ms. Tidke, learned APP submits that the Applicant is involved in the crime and there is one antecedent. Mr. Hagare, learned counsel states that the antecedent has been disclosed in the application.

5. The prosecution case is set out in paragraph Nos. 3 and 4 of the order dated 22nd April, 2026 passed by the learned Additional Sessions Judge, Baramati, Dist. Pune in Criminal Bail Application No.250 of 2026, which read as under :-

> "3 The allegations in the FIR are summarized as under:-
>
> In the year 2023 Grampanchayat elections of Dhumalwadi were held, in said election Sujata Vikas Kokare, sister- in-law of accused no.1 Chandrakant

Kokare was contesting election. Against her mother of informant Akshay Kokare was contesting said Grampanchayat election. The mother of informant was declared as elected candidate. At that time accused no. 1 to 3 and their other associates assaulted Pooja Sachin Kokare and Shourya Sachin Kokare on the ground that they had casted vote to mother of informant. FIR was registered in Malegaon Police Station regarding said incident. The informant had took Pooja Kokare and Shourya Kokare to the hospital, due to which their lives were saved, therefore the accused no.1 was having grudge against informant and gave threats to kill him.

4. It is further alleged that, on 17/11/2025, at about 10.00 am informant left his house so as to attend his work of Anganwadi, at Village Karhavagaj. He proceeded on his motorcycle by Sangavi to Pandare Road, when he reached near the field of Banana owned by one Sunil Dhumal, accused no. 1 to 4 and two unknown persons were present there, holding iron

rods. They restrained the motorcycle of informant, toppled down him and then took him in banana field and thereat the accused no. 2 and 3 were pressing throat of informant, with an intention to kill him, at that time accused no. 1 instigated them that, he should not be killed in such a easy way, and he will be killed after cutting his hands and legs. Then all the assailants assaulted the informant by means of iron rods in their hands. Accused no.3 assaulted informant by means of fighter on his nose. Vinod Kokare, Santosh Kokare, the brothers of informant came to rescue him, at that time two unknown assailants caught hold them, accused no.1 told to informant and his brothers that, whether he is contesting election against us and informant took wife and son of Sachin Kokare to hospital, therefore their lives were saved and now, he will kill victim/informant. Then he assaulted informant on head by means of iron rod. In said incident, informant was became unconscious. The brothers of informant took him to Sahyadri Hospital, Baramati. When he was under treatment, police recorded his complaint. On

that basis above referred FIR has been registered against accused no. 1 to 4 and two unknown persons."

6. Perusal of the record shows that as per the prosecution case, in the year 2023, Grampanchayat Elections of Dhumalwadi were held and in the said election, Sujata Vikas Kokare, sister-in-law of Accused no. 1 Chandrakant Kokare was contesting the elections against the mother of the informant. The mother of the informant got elected in the said election and at that time, Accused Nos. 1 to 3 and others assaulted Pooja Sachin Kokare and Shourya Sachin Kokare on the ground that they had casted vote in favour of the mother of informant. F.I.R. has been lodged at Malegaon Police Station bearing C.R. No. 590 of 2023 on 3rd December, 2023. The informant took the injured Pooja Kokare and Shourya Kokare to the hospital and they were saved. The Accused No. 1 was having grudge against the First Informant as the First Informant had saved said Pooja and Shourya and gave threats to kill him.

7. The incident which is the subject matter of this application took place on 17th November, 2025. In the said incident, Accused Nos. 1 to 4 and two unknown persons, as per the prosecution case, with iron rod assaulted the first informant. Vinod Dashrathrao

Kokare, Santosh Narayan Kokare, who are the eye witnesses have stated that Accused Nos. 1 to 4 and two unknown persons, as they were wearing masks, were assaulting the injured - First Informant with iron rod. The injury certificate shows that there are grievous injuries and injuries are on vital part including left forehead and nose.

8. The Applicant has very strongly relied on the statement of Abhishek @ Bali Sunil Kokare who has also supposed to be the eye witness. However, perusal of the record shows that the incident in question has taken place on 17th November, 2025. The injured has lodged F.I.R. on 18th November, 2025 on 11:44 a.m. The statements of the eye witnesses, namely, Vinod Dashrathrao Kokare and Santosh Narayan Kokare were recorded on 20th November, 2025, wherein they have disclosed that they have seen the Applicant along with other accused assaulting the injured with iron rod. The statement on which learned counsel for the Applicant has strongly relied is of Abhishek @ Bali Sunil Kokare, who also claims to be an eye witness. The said statement has been recorded on 4th January, 2026 and his statement under Section 183 of Bharatiya Nagarik Suraksha Sanhita has been recorded on 19th January,

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2026. Thus, at this preliminary stage, when the investigation is underway, no reliance can be placed on the statement which has been recorded after almost 45 days. The offence is very serious.

9. Perusal of the statements of Vinod Dashrathrao Kokare and Santosh Narayan Kokare show that in fact the accused were under the impression that they had killed the injured and told the eyewitnesses to took the body of the injured. The Accused further threatened that if anybody contest election against them, then, such person would also face the same consequence. Thus, offence is very serious and committed with pre-planning.

10. Accordingly, no case is made out for grant of anticipatory bail. The Anticipatory Bail Application is dismissed.

11. The above observations are made for considering the present Anticipatory Bail Application. The learned Trial Court shall not be influenced by any of the observations made hereinabove and shall decide the case on its own merits.

[MADHAV J. JAMDAR, J.]