S.S.Kilaje

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 3042 OF 2025

Mahesh Bhaskar Koli … Applicant

VERSUS

State Of Maharashtra … Respondent

SONALI SATISH KILAJE Digitally signed by SONALI SATISH KILAJE Date: 2026.10.14 10:44:06 +0530

Mr. Amol A. Patankar a/w Vatsal Thakkar and Neil N. Chandiwala, for the Applicant.

Ms.Megha S. Bajoria, APP for the Respondent – State.

PSI – Gorad, Malwani Police Station, present.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : 12th OCTOBER, 2026.

P.C. :

1. Heard learned counsel for the applicant as well as learned APP for respondent.

2. The applicant has filed instant Application for pre-arrest bail in connection with FIR No. 1045 of 2025 registered with Malwani Police Station, for the offence punishable under Sections 118(2), 118(1), 115(2), 352, 351(2), 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short "BNS Act").

3. The FIR is registered on the basis of report lodged by the complainant alleging that on 19.08.2025 at about 5.30 p.m. there was a

quarrel and scuffle in between the complainant and the family of the accused persons in which the complainant was assaulted by fist blows and by a sharp weapon. On the basis of the allegations, FIR came to be registered against four persons including this applicant, who is arraigned as accused No.1.

4. Learned counsel for the applicant submits that the allegations are leveled in the background of a family dispute between step brothers and in the alleged incidence the applicant himself was injured and he was required to undergo medical treatment in which five stitches were given to him. Apart from this, he submits that investigation in the matter is completed and chargesheet is also filed and as such there is no need for custodial interrogation of this applicant.

5. Learned APP although pointed out that there are allegations in FIR about the role played by this applicant in the alleged incident, however, on instructions from the Investigating Officer who is personally present in Court states that since the chargesheet is filed, custody of this applicant is not required.

6. On consideration of the above submissions as pointed out by learned counsel for applicant and further considering the fact that the chargesheet is already filed and custody of this applicant is not required, instant application needs to be allowed.

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7. Accordingly following order is passed:

ORDER

(i) The Anticipatory Bail Application is allowed.

(ii) In the event of arrest of the applicant in connection with Crime No. 1045 of 2025 registered with Malwani Police Station, for the offence punishable under Sections 118(2), 118(1), 115(2), 352, 351(2), 3(5) of BNS Act, the applicant be released on bail on furnishing P.R.Bond of Rs.25,000/- with one surety in the like amount.

(ii) The applicant is directed to extend co-operation during trial.

(iii) The applicant shall not tamper with the evidence and influence the prosecution witnesses in any manner.

8. In view of above, the instant application is allowed and disposed of.

(PRAFULLA S. KHUBALKAR, J.)