

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 3572 OF 2025

Kaustubh P. Bhoir
V/s.
The State of Maharashtra

...Applicant
...Respondent.

.....

Mr. Sachin R. Pawar a/w. Mr. Shailesh Chavan for the Applicant.
Mr. S.R. Shinde, B-Panel Counsel for the Respondent/State

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CORAM : N.R. BORKAR, J.
DATE : 05.01.2026.

P.C. :

1. This is an application for anticipatory bail.
2. The applicant is apprehending his arrest in Crime No. 158 of 2024 registered at Kasara Police Station for the offences punishable under Sections 115(2), 309, 133, 142, 352, 351(2) and 3(5) of the Bhartiya Nyaya Sanhita, 2023.
3. This Court, by order dated 20th December 2024, rejected the earlier Anticipatory Bail Application No. 3502 of 2024 filed by the present applicant. While rejecting the said application, this Court observed as under:

"5. Upon perusing the records, it appears that there is material available on record to prima facie show that the applicant assaulted the informant using a 'Kada'. The weapon allegedly used in the crime, as well as the mobile phone purportedly snatched by the applicant, are yet to be recovered. There are eyewitnesses to the incident who have

corroborated the informant's account. The applicant is named in the FIR, with a clear role attributed to him that he assaulted the informant with the 'Kada', resulting in injury to his head. The investigation is in progress. Given the above, this Court is not inclined to exercise discretion in favour of the applicant. As a result, the application stands rejected."

4. I have heard the learned Counsel appearing for the applicant and the learned B-Panel Counsel for the respondent / State.

5. Learned counsel for the applicant submits that the prosecution has already filed the charge-sheet and therefore, there is no need of custodial interrogation of the applicant. It is submitted that the incriminating material has already been recovered and nothing is to be recovered at the instance of present applicant. It is thus submitted that there is a change in circumstance warranting consideration of the present application on merits.

6. The earlier Anticipatory Bail Application No. 3502 of 2024 filed by the present applicant was rejected on merits. This Court has observed that there is material on record that the applicant has assaulted the informant using Kada and there are eye-witnesses to incident. It is not the case of the applicant that after filing of charge-sheet that material is not there in the charge-sheet. The present application, therefore, cannot be entertained and the same is rejected.

[N.R.BORKAR, J.]