

Ajit Pathrikar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 505 OF 2026

Karan Anil Rajput ...Applicant

Versus

The State Of Maharashtra ...Respondent

Mr. Uday Warunjikar *a/w Praful Abhiman Patil and Rohit Patil, for the Applicant.*

Ms. Poonam P. Bhosale, *APP for the State-Respondent.*

PSI – Pravin Khandare, *Central Police Station, Thane City, is present.*

CORAM DR. NEELA GOKHALE, J.

DATED: 10th FEBRUARY 2026

PC:-

1. The Applicant seeks his release on bail in connection with C.R. No. 528 of 2025 dated 4th July 2025 registered with the Central Police Station, Thane City, for the offences punishable under Sections 109, 189(1), 189(2), 189(4), 190, 115(2), 352 and 351(2) of the Bharatiya Nyaya Sanhita, 2023 (“BNS”), Sections 37(1), 37(3) and 135 of the Maharashtra Police Act, 1951 and Section 7 of the Criminal Law Amendment Act, 1932.

2. There are in all four accused. The Applicant is Accused No.1.

3. The facts of the case, in brief, are that on 3rd July 2025, in the evening, the Applicant and the co-accused created an unruly and unlawful assembly in the middle of the road, causing a traffic jam. They abused the riders by stopping their car on the road. Thereafter, one of the passers-by, namely Shubham Chavan, blew the horn of his two-wheeler. The Applicant and the co-accused, with the intent of causing terror, started breaking the glass of vehicles passing on the road. The Complainant saw the same and requested them to stop creating commotion and chaos on the road. However, they got angry with him and all of them started assaulting said Jasprit with a Kada and a knife in their hands and also assaulted him with kick blows and fist blows. The co-accused, Vinay Rajput, threw him in front of an ATM centre and assaulted him. The co-accused, Sumit Dolare, also assaulted him severely. The allegation is that the present Applicant assaulted the said Jasprit with a Kada. Witness Shubham Chavan and Jasprit suffered injuries and were admitted in the hospital for treatment. Pursuant to which a complaint being

made, the FIR came to be registered and the Applicant was arrested on 9th October 2025.

4. The Applicant made an application seeking regular bail before the Additional Sessions Judge, Kalyan. However, by order dated 7th August 2025, the said application was rejected. Hence, the Applicant is before this Court for the relief as prayed.

5. Mr. Uday Warunjikar, learned counsel for the Applicant, submits that this is a case of false implication. In fact, the present Applicant was a neutral person who attempted to bring order to the situation and was also helping the injured persons. He submits that the Applicant had filed an application seeking anticipatory bail, which was rejected by the Sessions Court. However, in the said application, one witness, namely Shubham Chavan, had filed an affidavit stating that he had no grievance against the Applicant and that the Applicant had not assaulted him. Nevertheless, the anticipatory bail application was rejected, against which the

Applicant preferred a bail application before a Co-ordinate Bench of this Court, which came to be withdrawn. Thereafter, the Applicant surrendered and filed the present regular Bail Application. Thus, Mr. Warunjikar submits that there was no overt act on the part of the present Applicant and that the story of the Complainant cannot be believed. In these circumstances, he prays that the Applicant be enlarged on bail.

6. Per contra, Ms. Poonam Bhosale, learned APP, submits that the act of the Applicant and the co-accused is nothing short of causing terror in the neighborhood. The only intent was to harass, create an atmosphere of terror in the locality and intimidate the residents. She further submits that the Applicant has one antecedent. However, Mr. Warunjikar interjects to state that the Applicant has been acquitted in the said case. Considering the statements given to the police, Ms. Bhosale submits that the offence is serious and the Bail Application deserves to be rejected.

7. Heard learned counsel appearing for the respective parties and perused the record with their assistance.

8. Admittedly, there is a witness who implicates the co-accused. However, the role attributed to the present Applicant seems to be only 'assault' by a Kada. I have also seen the injury certificates. All the injuries on the Complainant appear to be simple injuries. Considering that the Applicant is in custody since October 2025; that the injuries suffered by the Complainant and the witness are simple and that the trial is unlikely to conclude in the near foreseeable future, I am inclined to enlarge the Applicant on bail and it is ordered as under:

ORDER

i) The Applicant be enlarged on bail, on executing PR Bond in the sum of Rs.50,000/ with one or two local sureties in the like amount;

ii) The Applicant shall attend the Trial Court concerned on each and every date as directed, till the conclusion of the trial, save and except if the Applicant is exempted from appearance by orders of the Trial Court.

iii) The Applicant shall not enter the jurisdiction of Ulhasnagar Central Police Station till the evidence of the Complainant is recorded.

iv) If the Applicant has not deposited his passport, the Applicant shall deposit the same with the concerned Police Station, if any;

v) The Applicant shall not leave India, without permission of the trial Court;

vi) The Applicant shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

vii) The Applicant shall inform his latest place of residence and mobile contact number immediately after being released and / or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

viii) The Applicant to co-operate with the conduct of the trial;

ix) Any infraction of the aforesaid conditions shall entail cancellation of bail.

9. Application is allowed in the above terms and is accordingly disposed of.

10. It is made clear that the observations made herein are *prima facie* and are confined to this Application and the Trial Judge to decide the case on its own merits, uninfluenced by the observations made herein.

(Dr. Neela Gokhale, J)