

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.603 OF 2026**

Vinayak Ganesh Indap

...Applicant

Versus

State of Maharashtra

...Respondent

Ms. Meghna Ashok Gowalani a/w Vinod C. Singh, *for the Applicant.*

Ms. Megha S. Bajoria, *APP for the Respondent - State.*

PI – Vilas Rathod, N.M. Joshi Marg Police Station, present.

CORAM: DR. NEELA GOKHALE, J.
DATED: 16TH FEBRUARY 2026

PC:-

1. By this Application, the Applicant seeks his enlargement on bail in connection with C.R. No. 590 of 2025 dated 6th October, 2025 registered with the N.M. Joshi Marg Police Station, for the offences punishable under Sections 109(1), 118(2), 190, 191(2), 191(3), 189(1), 189(2) and 189(4) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS'), and Sections 37(1)(a) and 135 of the Maharashtra Police Act, 1951.

2. The case of the prosecution, in brief, as discerned from the FIR is that a physical altercation took place between two group of friends on 5th October, 2025 at around 17:30 hours. The First Informant, Santosh Ghude, received a call from his friend namely, Chetan Wagmare, who informed him that Sandesh Patekar, Rohan Patekar and ten to fifteen unknown persons have assaulted their mutual friend and asked him to come immediately to Punjab Hotel, Dr. Kurne Chowk, Worli. The First Informant immediately rushed to the spot and met his friends, Chetan and Vijay. They told him about the assault caused by Sandesh Patekar, Rohan Patekar and others. The principal accused Rohan Patekar, assaulted Vijay Gupta and struck him on the head with an iron object, a bottle and a wooden stick. The First Informant also suffered injuries and was taken to the hospital where he was treated and later discharged. On the basis of his complaint, the FIR came to be registered and the Applicant was arrested.

3. The Applicant made an application seeking bail before the Additional Sessions Judge, City Civil & Sessions Court, Greater Bombay. However, by order dated 30th January, 2026, the said application was rejected. Hence, the Applicant has filed the present Bail Application for the relief as prayed.

4. Ms. Meghna Gowalani, learned counsel for the Applicant, states that this is an incident of quarrel between two group of friends and was not a premeditated act. The parties from both the groups have assaulted each other and several persons from the Applicant's group have also suffered injuries. She further draws my attention to the order dated 22nd December, 2018 passed by a Co-ordinate Bench of this Court (Coram: N.R. Borkar, J.), wherein the co-accused, to whom similar role was attributed as that of the present Applicant, was granted anticipatory bail. Hence, she prays that the Applicant be enlarged on bail.

5. Ms. Megha Bajoria, learned APP for the State, opposes the application and submits that the offence is serious

in nature and that the First Informant has suffered grievous injuries. Hence, she prays that the application be rejected.

6. Admittedly, the co-accused namely Mayur Dighe, has been granted anticipatory bail. The role attributed to the present Applicant is identical to that of the co-accused Mayur Dighe. In fact, the name of the Applicant does not figure in the First Information Report at all. No specific overt act has been attributed to him. In these circumstances, I am inclined to enlarge the Applicant on bail. It is accordingly 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 unless exempted by the orders of the Trial Court concerned;

iii) The Applicant shall also attend the Police Station concerned once in a month between 11:00 a.m. to 02:00 p.m.;

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

v) The Applicant shall not leave India, without the 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 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 Police Station concerned;

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

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

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

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

(DR. NEELA GOKHALE, J)