

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 94 OF 2026

1. Hanuman Madan Patil
 2. Shanidas S. Patil ...Applicants
- V/s.
- The State of Maharashtra ...Respondent.

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Mr. Vishal Patil for the Applicants.
Mr. B.V. Holambe Patil, APP for the Respondent/State.
PSI B.B. Kshirsagar, Vitthalwadi Police Station is present.

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CORAM : N.R. BORKAR, J.
DATE : 20.01.2026.

P.C. :

1. This is an application for anticipatory bail.
2. The applicants are apprehending their arrest in Crime No.235 of 2025 registered at Vitthalwadi Police Station for the offences punishable under Sections 189(1), 191(2), 191(3), 190, 118(2), 115(2), 351(2) and 352 of the Bharatiya Nyaya Sanhita, 2023 (BNS), and Sections 4 and 25 of the Arms Act and Section 37(1) read with 135 of the Maharashtra Police Act.
3. It is the case of the prosecution that on the date of incident, which took place on 22nd March 2025 on account of previous dispute, the applicants and other co-accused threatened and assaulted the first informant, his brother and cousin by stick, stone and sword. It is alleged that due to said assault the first informant, his brother and cousin sustained grievous injuries.

4. I have heard the learned counsel appearing for the applicant and the learned APP for the respondent / State.

5. Learned counsel for the applicants submits that Section 118(2) of the BNS came to be invoked after 7 months of registration of the crime. Learned counsel for the applicants submits that there is a cross FIR in relation to the alleged incident. It is submitted that the prosecution has already filed the charge-sheet against the co-accused. The learned counsel submits that there are no other criminal antecedents against the present applicants.

6. On the other hand, learned APP for the respondent/State submits that at the time of incident, the applicants were armed with stick and sword. It is submitted that the custodial interrogation of the applicants is necessary to recover the said weapons. It is submitted that considering the nature of crime, the applicants may not be released on anticipatory bail.

7. There is a cross FIR in relation to the alleged incident. Section 118(2) of the BNS came to be invoked after 7 months of registration of crime. There are no other criminal antecedents against the present applicants. Considering the overall facts and circumstances of the case, I am inclined to release the applicants on anticipatory bail. In the result, the following order is passed.

ORDER

- A) The Application is allowed.
- B) In the event of arrest of the applicants in C.R. No. 235 of 2025 registered at Vitthalwadi Police Station for the offences punishable under Sections 189(1), 191(2), 191(3), 190, 118(2), 115(2), 351(2) and 352 of the Bharatiya Nyaya Sanhita, 2023 (BNS), Sections 4 and 25 of the Arms Act and Section 37(1) read with 135 of the Maharashtra Police Act, they be released on bail on executing P.R. Bond in the sum of Rs.25,000/- each with one surety or two sureties in the like amount.
- C) The applicants shall attend the concerned police station as and when called by the Investigating Officer and shall cooperate in the further investigation, if any.
- D) The applicants shall not commit any other crime.

[N.R.BORKAR, J.]