

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.441 OF 2026**

Shubham Vikas Rajpure	...Applicant
<i>Versus</i>	
The State of Maharashtra	...Respondent

Mr. Shailesh Kharat a/w. Mr. Onkar Chaudhari, for the Applicant.
Ms. R. V. Newton, APP, for the Respondent-State.
Mr. Kashiraj Vitthal Jadhav, GPSI, attached to Baramati Police Station, Pune, present.

**CORAM: MADHAV J. JAMDAR, J.
DATED : 17th FEBRUARY 2026**

PC:-

1. Heard Mr. Kharat, learned Counsel appearing for the Applicant and Ms. Newton, learned APP appearing for the Respondent-State.

2. This application is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking pre-arrest bail in connection with C.R. No.488 of 2022 registered with Baramati Police Station, Pune Rural, District-Pune, for the offences punishable under Sections 307, 504, 506 read with Section 34 of the Indian Penal Code, 1860.

3. The prosecution case is set out in paragraph No.2 of the order dated 20th June 2024 passed by the learned Additional Sessions Judge, Baramati, District-Pune, in Sessions Case No.89 of 2023, which reads as under:

“2. It is case of prosecution that, on 11/09/2022 at about 10.30 p.m. first informant Gaurav Akash Tawre was chitchatting with his friends on the road in front of Pooja Hotel, MIDC, Baramati. That time, present applicant/accused and other co-accused came near to him and asked whereabouts of Sagar Kajale, who is friend of first informant and they committed rioting there. Whereupon, he replied that, he do not know his whereabouts. On this count, accused persons took first informant in front of Chaudhar Wine Shop and for not telling whereabouts of Sagar Kajale, in furtherance of their common intention to kill first informant, gave Axe blows on his neck and below the ear. Thereafter, when first informant trying to escape from the clutches of accused persons, they caught him and gave Axe blows on his chest, shoulder, head and near the left eye and tried to kill him. In the said incident first informant got severe injuries and he was shifted to the hospital. During treatment in the hospital, he lodged his report with the police.”

4. It is the submission of Mr. Kharat, learned Counsel appearing for the Applicant that the FIR has been lodged on 16th September 2022. There is delay of five days in filing the FIR. He submits that the Applicant was arrested in C.R. No.563 of 2022 on 5th November 2022 and the Applicant was behind bars for about three

years and thereafter, the Applicant has been released on bail on 13th January 2026. He submits that therefore, the Applicant was available for the investigation and therefore custodial interrogation is not necessary. He submits that the name of the Applicant has not been mentioned in the FIR and the Applicant's name has been for the first time mentioned in the Supplementary Statement of the First Informant dated 12th December 2022 i.e. after a period of about three months. He submits that the Applicant is not involved in the crime. He submits that although there are 10 antecedents against the Applicant, the details of the same are disclosed in the Anticipatory Bail Application. He submits that in three cases, the Applicant has been acquitted and in one case, although his name is not mentioned in the FIR, the Applicant has been wrongly made accused. He submits that in other cases, the Applicant has been released on bail.

5. Ms. Newton, learned APP appearing for the Respondent-State strongly opposes the Anticipatory Bail Application. She submits that there are 14 antecedents against the Applicant. She submits that the Applicant is involved in the crime therefore, the Anticipatory Bail Application be rejected.

6. Perusal of the record shows that the incident in question has taken place on 11th September 2022. The FIR has been registered on 16th September 2022 i.e. after a period of five days. The Applicant's name has not been mentioned in the FIR. The Applicant was arrested in C.R. No.563 of 2022 on 5th November 2022. Thereafter, in Supplementary Statement of the First Informant recorded on 12th December 2022, the Applicant's role is disclosed. Admittedly, the Applicant was released on bail by a learned Single Judge by order dated 13th January 2026 passed in Criminal Bail Application No.1213 of 2025. Thus, the Applicant was available for the custodial interrogation to the Respondent-State of Maharashtra for more than three years. During that period, the Applicant was not arrested in this case. The Supplementary Statement also do not disclose the direct role of the Applicant in the crime. Perusal of the record further shows that the chargesheet has been filed against the other accused. Thus, the investigation is almost completed.

7. While releasing the Applicant on bail, a learned Single Judge by the said order dated 13th January 2026 has imposed the condition that the Applicant shall not enter in Baramati Taluka till

recording of the evidence of the First Informant and witnesses in said case arising out of C.R. No.563 of 2022. Therefore, the Applicant is residing with his uncle Mr. Shekhar Tambe at Tambe Wade, Varude, Tal. Khed, Dist. Pune.

8. In any case, in the facts and circumstances, case is made out for grant of Anticipatory Bail. However, as there are several antecedents against the Applicant, stringent conditions are required to be imposed upon him. In view thereof, the following order is passed:

ORDER

- (a) In the event of arrest of the Applicant-Shubham Vikas Rajapure in connection with C.R. No.488 of 2022 registered with the Baramati Police Station, Pune Rural, District-Pune, the Applicant is directed to be released on bail on his furnishing P.R. Bond in the sum of Rs.1,00,000/- with one or two solvent sureties in the like amount.
- (b) The Applicant shall attend the Baramati Police Station, Pune Rural, District-Pune, on 23rd February 2026 and

24th February 2026 between 11:00 a.m. to 02:00 p.m. and shall co-operate with the investigation. Thereafter, the Applicant shall attend the Khed Police Station, District-Pune, on every Sunday between 11:00 a.m. to 02:00 p.m. till conclusion of the trial.

- (c) The Applicant shall furnish his cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.
- (d) The Applicant shall not directly or indirectly make any inducement, threat, or promise to any person acquainted with the facts of the case so as to dissuade such a person from disclosing the facts to the Court or to any Police personnel.
- (e) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.
- (f) The Applicant shall not leave India without prior permission of the learned Trial Court/concerned Sessions Court.

9. The Anticipatory Bail Application is disposed of accordingly.

[MADHAV J. JAMDAR, J.]