



ORDER BELOW EXH No. 1
IN REGULAR BAIL APPLICATION
No. 57/2026

(Prakash Shamrao Shinde v. State)

1. This bail application is filed in Crime No. 57 of 2026 registered at Kankavli Police Station for the offence punishable under section 132, 109(1), 352 and 351(3) of the Bharatiya Nyaya Sanhita, 2023 (the “BNS”), section 4 of the Maharashtra Medicare Service Persons and Medicare Service Institutions (Prevention of Violence and Damage or Loss to Property) Act, 2010 and section 4 and 25 of the Indian Arms Act, 1959.
2. Perused relevant papers from the case file, the contents of the bail application, and the say of the State.
3. The Ld advocate has not taken care to file copy of FIR. Therefore, facts are gathered from the documents on record, primarily the police papers. It is the allegations against the applicant that on 16.03.2026 at about 1:10 am Dr Vikas Panditrao Chormale treated the applicant who was feeling weakness. The doctor let the applicant go home, but

the applicant did not go. The applicant thereafter started arguing with and abusing the doctor and also threatened the doctor. When the staff in the hospital tried to control the applicant, the applicant assaulted the doctor with a knife in his hand. He was uttering threats that he would kill the doctor. The guards apprehended the applicant. This incident happened in Sub District Hospital, Kankavli. Offence came to be registered against the applicant for above offences.

4. Heard.
5. Ld advocate for the applicant submits that the accused was weak. The knife is seized. After arrest he was directly sent to magisterial custody. There was no intention at all behind the acts of the applicant. The offence is exaggerated in the FIR. Investigation is almost done, although chargesheet is not filed. There were not and there will not be threats by the applicant. He shall follow all bail conditions. He has two minor sons. The hotel is running is closed due to his custody. He is resident of Kankavli. Hence, he be released on bail.
6. Ld ADPP submits on the lines of State Say Exh 6, police say report Exh 7 and the informant's objection

Exh 10. I have perused the reasons advanced for rejection of the present bail application. Ld ADPP submitted that such group A doctors are from other districts and they serve for the people. The applicant has caused a grievous crime of attempt to murder. Investigation is going on. If the accused is prematurely released he may pose danger to the witnesses and the informant-doctor. He submits that carrying knife inside the hospital establish his intention to commit crime. He submits that the offence attracts life imprisonment or ten years imprisonment. Hence, he submits, the bail application may be rejected.

7. Ld advocate for the applicant in reply submits that there was no intention and preparedness at all.
8. My observations are as follows.
9. The applicant was arrested on 16.03.2026. The applicant carried knife inside the hospital which prima facie shows his preparedness. Moreover, the investigation is on. The chargesheet yet to be filed. Attacks on doctors are on the rise. Under such circumstances, the investigating officer should be given freehand and full opportunity to carry out all – out investigation in to this serious crime. Therefore,

I hold that the bail application is filed prematurely. At present, what is important is the aspect of investigation and collection of evidence on the entire suspicious conduct of the accused since he went into the hospital with a knife. Hence, considering the overall situation, the seriousness of the crime, the aspect of investigation, the prima facie intention of the applicant – this application needs to be rejected.

10. In **Mohd Muslim @ Hussain v. State (Nct of Delhi), Special Leave Petition (Crl.) No(s). 915 of 2023** decided on 28.03.2023, relied upon by Ms Mhapankar, the Hon'ble Supreme Court has dealt with an entirely different bail application in which Section 37 of the NDPS Act. Moreover, in that case chargesheet was filed, even charges were framed and thereafter two supplemental chargesheets were also filed. In the present case chargesheet is yet to be filed, therefore, the applicant can not derived benefit from this authority, at present.
11. The applicant shall be at liberty to file fresh bail application after the filing of the chargesheet, if so advised, which application shall be considered on its merits at that time.

12. With the above observations, I am passing the following rejection order.

O R D E R

The application stands rejected.

Place: Sindhudurg at Oros

(Dr Sudhiir M Deshpande)

Date: 07.04.2026

Sessions Judge
Sindhudurg at Oros

All concerned to act upon digitally signed uploaded copy of this order, the printout of which can be verified from the official website of this court. In this regard attention of all concerned is invited to the authority of the Hon'ble High Court of Bombay (Bench at Aurangabad) **Shital Krushna Dhake v. Krushna Dhake**, MANU/MH0285/2018.