

ORDER BELOW EXH.NO.1 IN CRI.B.A.NO.23/2026
(Prajwal Vishwas Gadade etc. vs. State of Maharashtra)
(CNR No.MHSN170001082026)

1. Perused application and say filed by the investigating officer at Exh.5. Heard Ld.Counsel Shri. C. M. Yadav for the applicant, Ld. APP Shri. M.B. Kulkarni for the State and Ld. Counsel Shri. S. S. Patil for the first informant on the point of anticipatory bail to applicants/accused No.1 Prajwal Vishwas Gadade, accused No.2 Abhishek Vishwas Gadade and accused No.3 Viraj Sayaji Kale involved in crime No.37/2026 under sections 118(1), 119(1), 332(c), 115, 352, 351(2), 351(3) r/w. 3(5) of the Bharatiya Nyaya Sanhita, 2023, registered at Palus Police Station.

2. The informant lodged report to Palus police station stating that on 11.02.2026 at about 07.30 a.m., he had gone to his work. Then, he went to his friend Ranjit Dilip Jadhav at Sangli after 04.00 p.m. Then, he came near Jain Society on Amnapur road, Burli at 11.15 p.m. At that place, work of the road was going on and one way traffic was allowed. Ashok Leyland transport vehicle No.MH-10-DT-4818 was standing on the road and upper light of it was coming on the eyes of the informant. Therefore, the informant asked persons at the vehicle to make dipper light of the vehicle. Those persons were accused Prajwal and Abhishek. They did not listen to the informant and kept the light on. Then, the informant went to his home and took meal. He heard noise of kicking door of his house. When, he opened the door and came out of the house, he saw accused Prajwal and Abhishek standing in

front of his house and they had kept switched on headlight of their vehicle. Accused Abhishek was having a tommy in his hand. Accused Prajwal was having a stick in his hand. They pulled the informant out of his house. Accused Abhishek beaten the informant with the tommy on his back and thigh. Accused Prajwal beaten him with the stick on his chest. Accused Viraj had beaten him with kick and fist blows. He also caused injury near eye of the informant with a bracelet (कडी) in his hand. When the informant raised shouts, maternal uncle of the informant ran to save him. The accused scuffled with him and also hurled abuses to him. At that time, accused Prajwal had snatched away gold chain of three tolas around neck of the informant. Rajgonda Omannu Chougule and Subhash Shamrao Chougule settled the dispute. The accused abused and gave threats to kill the informant and left the spot.

3. When the informant went to Palus police station for lodging report in the morning of 12.02.2026, he was referred to Rural Hospital, Palus for treatment purpose. He took primary treatment at Rural Hospital, Palus. Then, he was referred to Civil Hospital, Sangli. Then, he again went to Palus police station and lodged report with above recitals.

4. The accused have sought bail on the grounds that FIR is lodged with delay of four days. FIR is afterthought. The informant is having addiction of liquor consumption and he argued with villagers over minor issues. He lives separate from his wife. He is frustrated. No specific averments are made against the

accused in FIR. The accused are not having cases of theft, robbery, dacoity and chain snatching in the past. They are ready to cooperate with investigation agency. Physical custody of the applicants is not required. They would abide by the conditions imposed by the Court. They prayed for granting anticipatory bail.

5. Ld.Counsel Shri. C. M. Yadav for the applicants/accused advanced arguments on the line of contents in bail application. According to him, false allegations are made against the accused. Contents in printed FIR are missing in actual report. He prayed for granting anticipatory bail.

6. Ld. APP Shri. M. B. Kulkarni for the State had taken the Court through contents in FIR and medical papers. According to him, weapons i.e. the stick and the tommy are not yet seized. Similarly, gold chain of the informant is also not seized. Physical custody is required for carrying out further investigation. All accused are involved in several criminal cases as mentioned in say of investigating officer. No case is made out for granting anticipatory bail. He prayed for rejection of anticipatory bail application.

7. Ld. Counsel Shri. S. S. Patil for the informant submitted that all accused are habitual offenders involved in serious offences. No recovery of weapons is made. Gold chain is also not recovered. They may commit similar offences if released on anticipatory bail. He also prayed for rejection of anticipatory bail application.

8. Considering rival submissions and material on record, it is evident that the first incident had taken place on the road when altercation took place between the informant and two accused on the ground of keeping upper beam of headlight of transport vehicle on. Subsequently, all accused went to the house of the informant and beaten him with deadly weapons like the tommy and the stick. Multiple parts of the body of the informant are assaulted including back, thigh and chest. The informant was required to take treatment at Civil Hospital, Sangli. He could visit the police station only after three days of the incident for the purpose of lodging the report. It shows that the accused have committed the offence with pre-meditated mindset. In addition to it, they are also having criminal antecedents. They have committed bodily offences in the past on several occasions. The accused are habitual offenders. Investigating officer could not seize weapons and the gold chain of the informant. Therefore, physical custody of the applicants is required. Case of the applicants is not covered by criteria applicable for granting anticipatory bail. Therefore, application deserves to be rejected. Hence, I pass the following order:-

: O R D E R :

1. Cri.B.A. No.23/2026 is rejected.
2. Cri.B.A. No.23/2026 is disposed of accordingly.

Vita
dt.10.04.2026

(R.R. Bhagwat)
Additional Sessions Judge, Vita

ASJ