

MHSO050006912026



Criminal Bail Application No.326/2026

Om Annaso Patil + 1

V/s.

The State of Maharashtra

A) Case Details :	
FIR Number and Date	186/2026
Police Station	Pandharpur Gramin PS
District	Solapur
State	Maharashtra
Sections Invoked	Sec.118(2), 352, 351(2), 351(1), 324(4), 191(3), 191(2), 190, 189(1), 115(1) of Bhartiya Nyaya Sanhita.
Maximum punishment prescribed	Sec.324(4) of BNS - Imprisonment up to 5 years and fine

B) Custody and Procedural Compliance :	
Date of Arrest	Anticipatory
Total period of custody undergone	----

C) Status of Trial :	
State of proceedings (Investigation/ Chargesheet/ Cognizance/ Framing of Charges /Trial)	Bail application
Total number of witnesses cited in the charge-sheet	Charge-sheet is not filed

D) Criminal Antecedents :	
FIR No. and Police Station	NA
Sections	NA
Status (Pending/Acquitted Convicted)	NA

E) Previous Bail Applications :	
Court	NA
Case No.	NA
Outcome of case	NA

F) Coercive Processes :	
Whether any Non-Bailable Warrant was issued	NA
Whether declared a proclaimed offender	NA

1 The Anticipatory bail application filed U/Sec.482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 by applicant No.1 Om Anaso Patil, No.2 Tushar Shivaji Patil (accused No.4 and 1 respectively) who apprehend their arrest in Crime No.186/2026 registered against them with Pandharpur Taluka police Station under Sec.118(2), 352, 351(2), 351(1), 324(4), 191(3), 191(2), 190, 189(1), 115(1) of Bhartiya Nyaya Sanhita.

2 The gist of the prosecution story highlighted that on 08.03.2026 at 7.30 p.m. the informant Vijay Asabe was in his shop, at that time Shivaji Patil come under influence of liquor and abused and threatened him. The informant given understanding him and drunken person went away. On the same day, at 8.00 p.m. when the informant was alone in his shop, at that time present applicant / accused No.1 Tushar Shivaji Patil, Shivaji Shankar Patil, Sambhaji Shankar Patil, present applicant/accused No.4 Om Rajendra Patil and Onkar Rajendra Patil came his shop. Tushar with iron rod, Om Patil carried stick and Tushar Patil uttered informant that, तूला लय मस्ती आली आहे. It is alleged that all the accused threatened him beat him by fists and kicks blow. Tushar Patil assaulted on both leg, nose to informant with iron rod. Om Patil assaulted

on back of informant wooden stick. He also damaged counter, chairs and computer by stick to the tune of Rs.5000/-. The allegations are that and at same time Tushar Patil snatched away Rs.96,000/- from shop cash box. It gave rise to registration of crime against accused No.1 to 5.

3 Prosecution file say vide Exh.4 opposing the bail application on submissions that applicant accused alongwith other co-accused was actively involved in alleged crime. Therefore, there is possibility of hampering and tampering of prosecution witnesses if they are released on bail.

4 Read application and say. Heard both sides. On perusal of record medico legal certificate of informant reveals nature of injuries. Investigation has proceeded, it resulted in to recovery of cash amount of Rs.96,000/- and weapon used in the crime.

5 Role attributed to the present applicants in the commission of crime is of abused and threatening and assault on victim/informant with fists and kicks blows and also of assault with weapon and snatching of cash amount from cash box of the shop. That allegation against the present applicants are that they also caused damage to the shop of informant. The role attributed to the present applicants is of serious and grave nature however, considering the fact that material investigation of the crime has completed and required for custodial interrogation of present applicant is not strongly made out on record. Specifically in the nature of offence, progress of investigation, recovery in the crime therefore, protection of anticipatory bail is granted to the applicants. The concern of investigating agency can be taken care of imposing certain terms and conditions.

7 After completion of dictation in this application order, the informant injured filed vakalatnama on record and had raised strong

objection making out a point that of addition of Section 118(2) of BNS in the crime of causing grievous hurt against the accused person on receipt of medical certificate of injured. In its addition, the strong objection is putforth on addition of section in the crime that there is every possibility that accused may misused their liberty to cause harm and injury to the informant injured of this crime as they are receiving threat calls from the accused persons and also to implicate them in the false crime.

8 Learned Advocate for the applicant accused pointing out that on 08 March 2026, and after filing of this application much later on 05.06.2026 section of the crime of serious offence came to be added just to create hurdle in getting relief of bail in favour of applicants. There is no explanation as to why police machinery has not collected medical certificate of the injured of the crime since the month of March till the month of June.

9 On specific request of injured informant of the crime the order passed in this bail application is kept in abeyance to grant an opportunity to parties to contest the application on merits.

10 Today, in a lengthy argument of both side, what is revealed to the Court, the seed of crime is in the financial transaction and previous enmity between the parties. Merits of the trial will decide who is at fault. However, considering the fact that on merits, prior to addition of section in the crime, this Court has expressed its view in favour of grant of anticipatory bail to the applicants. The improved circumstances of the crime, along with submissions of learned Advocate appeared on behalf of injured informant that neither 96000/- stolen amount of the crime, and weapon of crime is not seized till today. Then also considering the time lapsed, since the registration of offence, till today the applicants who otherwise found entitled for anticipatory bail cannot be denied of their

liberty, the concern of informant injured can be taken care of imposing stringent conditions in addition to the earlier conditions of this order.

ORDER

- 1 The Anticipatory bail application allowed.
- 2 Anticipatory bail is granted to applicant/accused No.4 Om Anaso Patil, applicant/accused No.1 Tushar Shivaji Patil in the event of their arrest, they shall be released on bail on their executing P.R. Bond of Rs.50,000/- each with surety of the like amount each in crime No.186/2026 registered with Gramin Police Station Pandharpur for the offences punishable under Sec.118(2), 352, 351(2), 351(1), 324(4), 191(3), 191(2), 190, 189(1), 115(1) of Bhartiya Nyaya Sanhita subject to following condition :
- 3 Applicants 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 him from disclosing such facts to the court or to any police official.
- 4 Applicant shall co-operate the investigating agencies in further investigation of the crime.
- 5 The applicants shall remain present before Investigating Officer of concerned Police Station between 01.00 p.m., to 03.00 p.m., on each alternate day, in total 15-days + 5 days = 20 days from tomorrow.
- 6 The applicants shall maintain diary about his presence and shall obtain seal and signature of Investigating Officer about their presence on the above mentioned date and time in police station.
- 7 Violation of any of the conditions imposed shall amount to cancellation of bail forthwith.
- 8 Humdast allowed.

(Smt.T. G. Mitkari)

Date : 23.06.2026

Additional Sessions Judge, Pandharpur

CERTIFICATE

I affirm that, the contents of this P.D.F., file judgment/order are same, word to word, as per the original judgment.

Name of Stenographer : S.A.B.Shaikh
Stenographer (Grade-1)

Court : District Court-1 & Additional Sessions
Court, Pandhaprur

Date : 23.06.2026

Order signed by the Presiding : 23.06.2026
Officer on

Order uploaded on : 23.06.2026