

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.975 OF 2025

Aniket Pandurang More & Anr.	...Applicants
Versus	
State of Maharashtra	...Respondent

Mr. Priyal Sarda a/w. Seema S. Dighe, Advocate for the applicants.

Mr. Amit A. Palkar, APP for the State.

CORAM : RAJESH S. PATIL, J.

DATED : 9 APRIL 2025

P.C.:

1. This is an application for pre-arrest bail under Section 482 of the Bharatiya Nagarik Sanhita, 2023 in connection with Crime No.220 of 2024 registered with Pangari Police Station for the offences punishable under Sections 115(2), 118(1), 118(2), 190, 191(2), 191 (3), 352 of the Bhartiya Nyay Sanhita, 2023 and Sections 92 (A), 92(B) of the Rights of Person with Disabilities Act, 2016.
2. The FIR has been registered based on a complaint that mentions the involvement of the present applicants.
3. The learned advocate for the applicants submits that the present applicants have been arrayed as accused nos. 4 and 5 only after the supplementary statement of the complainant was recorded.

4. The learned advocate further submits that the applicants are 22 and 23 years of age, respectively, and have no prior criminal antecedents. One of the applicants was acquainted with accused no. 2. There is an ongoing dispute between accused nos. 1, 2, and 3 and their uncle and the uncle's son, who is the informant in the present FIR. Accused no. 1 has been granted pre-arrest bail by the Sessions Court, while accused nos. 2 and 3 have been granted regular bail. The role of the present applicants, as per the FIR, appears to be minimal. Their names have not been mentioned in the FIR. Further, the applicants are willing to cooperate with the investigation.

5. The learned APP submits that the present applicants are absconding and not cooperating with the investigation. Therefore, their custodial interrogation is necessary in order to record their statements.

6. Heard the learned advocates for both sides and perused the documents on record, including the FIR.

7. The present applicants have been arrayed as accused nos. 4 and 5 only after the supplementary statement of the complainant was recorded. At the time of remand, the learned Sessions Court noted that the *muddemal* had already been recovered. There is an ongoing dispute between the informant and his uncle, who has been arrayed as accused no. 1. The present applicants do not have any criminal antecedents and

are known to accused no. 3, Shubham. Accused nos. 2 and 3 have already been granted regular bail, and accused no. 1 has been granted anticipatory bail by the Sessions Court on 30 September 2024. The State has not challenged the said order till date.

8. In such circumstances, in my view, there appears to be no necessity to arrest the present applicants. A prima facie case is made out for granting anticipatory bail to the applicants, subject to the following conditions:

ORDER

(a) ***The anticipatory bail application is allowed***

(b) In the event of arrest of the Applicants, Crime No.220 of 2024 registered with Pangari Police Station for the offences punishable under Sections 115(2), 118(1), 118(2), 190, 191(2), 191 (3), 352 of the Bhartiya Nyay Sanhita, 2023 and Sections 92 (A), 92(B) of the Rights of Person with Disabilities Act, 2016, the Applicants shall be released on bail furnishing P.R. bond to the extent of Rs.30,000/- each with one or more sureties of the like amount.

(c) The Applicants shall co-operate with the investigation and attend the investigating officer of the concerned police station on 17 April 2025 and 19 April 2025 between 11.00 a.m to 1.00 p.m., and thereafter, as and when called upon to do so.

(d) The Applicants shall not directly or indirectly make any inducement, threat or promise to informant and to any person acquainted with facts of case so as to dissuade him/her from disclosing the facts to Court or to any Police Officer and should not tamper with evidence.

(e) The Applicants shall furnish his contact number and residential address to the investigating officer and shall keep him updated, in case there is any change.

(f) The Applicants and his surety shall provide their respective mobile numbers, e-mail address and documents pertaining to the place of residence.

9. Needless to say, violation of any of the aforesaid conditions would make the applicants liable to face proceedings for cancellation of anticipatory bail. It is also clarified that the observations made in this order are limited to the question of grant of anticipatory bail to the applicants in the present application and that the trial Court shall proceed further, without being influenced by the observations made in this order.

10. In view of the above, **the present Anticipatory Bail Application is disposed of.**

(RAJESH S. PATIL, J.)