



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 158/2025

DHIRAJ SUDHIR BHANDARI ..APPLICANT
VS
STATE OF MAHARASHTRA & ANR. ..RESPONDENTS

Adv. Mrunmai Kulkarni a/w. Adv. Abhishek Kunchikar for applicant.
Ms. Supriya Kak, APP for the State.
Adv. Rohit P. Karhadkar for respondent no.2.
API Bhagwant Chaudhari, Boisar Police Station.

CORAM : RAJESH S. PATIL, J.

DATE : FEBRUARY 12, 2025.

P.C. :

1. This application is filed for seeking pre-arrest bail under Section 438 of the Code of Criminal Procedure and under Section 482 of the Bharatiya Nagarik Surkasha Sanhita, 2023 in connection with the First Information Report (FIR) No.580/2024 registered with Boisar Police Station, District Palghar, for the offence punishable under Sections 132, 121(1), 115, 352, 351(2) of the Bharatiya Nyaya Sanhita, 2023.

2. It is the case of the applicant that he is carrying on business of supplying building materials with necessary permissions and transit

pass from the concerned authority. He had instructed his truck driver to purchase and get loaded soil from mine holder of nearby area. He received a call from the driver that truck has been detained by the informant. The applicant went on the spot as he was called by the informant who is a Talathi. Instead of producing the seized vehicle truck before the Collector, it was taken to police station as per the provisions of the M.L.R.C. There is a delay of six hours in lodging the FIR. The police have not issued notice under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita. The police called the applicant's father to the police station and warned him to produce the applicant at police station on 21st December 2024. In the said circumstances, the applicant has apprehension of arrest, therefore, filed an anticipatory bail application before the Sessions Court. However, the Sessions Court by its order dated 9th January 2025 rejected the said application. Hence, the present application for pre-arrest bail has been filed before this Court.

3. I had directed the applicant on the last occasion to attend the concerned police station for recording his statement.

4. The learned APP appearing for the State submits that the applicant had been to the concerned police station and co-operated

with the investigation by giving his statement. The investigation as of today is over, and they are in the process of filing the charge-sheet.

5. The learned counsel for respondent no. 2 submits that a government official was attacked and beaten with fist and kick blows and abused. Therefore, the present application for pre-arrest bail should be rejected, and the applicant be taken in the custody.

6. In my view, the applicant has co-operated with the police. The statement of the applicant has been recorded by the police and the investigation has been over. Hence, the case is made out to protect the applicant till filing of the charge-sheet. Hence, the following order.

ORDER

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

(b) In the event of arrest in connection with (FIR) No.580/2024 registered with Boisar Police Station, District Palghar, the applicant shall be released on bail, till the filing of the charge-sheet, on furnishing P.R. bond to the extent of Rs.30,000/- with one or two sureties of the like amount.

(c) The applicant shall attend the concerned police station as and when called for.

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

7. The anticipatory bail application is disposed of.

(RAJESH S. PATIL, J.)