

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

ANTICIPATORY BAIL APPLICATION NO.870/2025

SANDHYA DHARMA SARDAR AND ANR	...APPLICANT
VS	
STATE OF MAHARASHTRA	...RESPONDENT

...

Adv. Salman Anwar Khan for the Applicant.
Adv. Avinash A. Naik, APP for the Respondent State.
PSI S. B. Desai, Bhiwandi Town Police Station.

...

CORAM : RAJESH S. PATIL, J.
DATED : MARCH 28, 2025

P.C.:

1. This is an application filed by applicants for seeking pre-arrest bail under section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 in C.R.No.1231/2024, registered at Bhiwandi City Police Station, Bhiwandi, for the offence punishable under sections 132, 115(2), 352, 351(2), 324 (4), 3 (5) of Bharatiya Nyaya Sanhita, 2023.

2. On the complaint being made, an FIR has been lodged. The role of the present applicants has been specifically mentioned in the complaint.

3. Mr. Khan, learned counsel for the applicants submits that the applicant no. 2 is 18 years of age and is the brother of applicant no. 1. Applicant no. 1 and the first informant both are working with the

Municipal Corporation of Bhiwandi City. There are some dispute between applicant no. 1 and the first informant, due to which, this false FIR has been lodged against the applicants. The applicants have filed an cross FIR. In fact, it was the applicant no. 1 who was injured. A mark of injury being on her forehead. There is no antecedents reported against the applicants. The injury, if any caused to the first informant is of simple nature. The applicant no. 1 is an employee of Municipal Corporation and applicant no. 2 is the brother of applicant no. 1, who is just 18 years of age. The applicants are ready to co-operate with the police in order to complete the investigation.

4. The learned APP submits that the applicant no. 1 and the first informant both are working in Municipal Corporation Bhiwandi City. He submitted that the present applicants have attacked a public servant. The applicant no. 2, brother of the applicant no. 1 had no reason of coming to the office of the Corporation and attacking the first informant. The investigation is in progress and in order to complete the investigation, the custody of the present applicants is necessary.

5. I have heard the counsel for both the sides and have considered the contents of the FIR. I have also been shown the injury which is caused to the applicant no. 1. As regards the injury being caused to the first informant, the same is of simple nature. In the FIR filed by the present applicant no. 1 against the first informant, a pre-

arrest bail order has been passed in the application preferred by the first informant herein.

6. Considering the overall fact, I am of the view that the present anticipatory bail application needs to be allowed since, the applicant no. 1 is a Government Servant and applicant no. 2 is just 18 years of age. Both of them have no criminal antecedents. Hence, I pass the following order.

ORDER

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

(b) In the event of arrest in connection with C.R.No.1231/2024 registered with Bhiwandi City Police Station, the applicants shall be released on bail, on furnishing P.R. bond to the extent of Rs.20,000/- each with one or two sureties each of the like amount.

(c) The applicants shall attend and meet the investigating officer of the concerned police station on 7 April 2025 and 8 April 2025 between 11.00 a.m. to 1.00 p.m. and thereafter, as and when called for.

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

(e) The applicants shall furnish details of their

residential address, contact number and email address to the Investigating Officer.

7. **Anticipatory Bail Application is accordingly disposed off as allowed.**

(RAJESH S. PATIL, J.)