

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1691 OF 2025

ARJUN
VITTHAL
KUDHEKAR

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Manoj Appasaheb Anantkar

...Applicants

Versus

The State of Maharashtra

...Respondent

Mr. Vipul Dushing a/w Tanmay Kate, Ajay Gawali & A. R. Chikate,
for the Applicant.

Ms. S. M. Yadav, APP, for the Respondent-State.

A.P.I. Jeevan Mohite, Indapur Police Station, District-Pune, present.

CORAM: MADHAV J. JAMDAR, J.

DATED: 24 SEPTEMBER 2025

PC:-

1. Heard Mr. Vipul Dushing, learned Counsel appearing for the Applicant and Ms. Yadav, learned APP for the Respondent-State of Maharashtra.

2. This is an Application filed under Section 482 of the *Bharatiya Nagarik Suraksha Sanhita, 2023* seeking pre-arrest bail in connection with CR No.345 of 2025 registered with the Indapur Police Station, District-Pune for the offences punishable under Sections 119(1), 115(2), 352, 351(2), 351(3) and 3(5) of the

Bharatiya Nyaya Sanhita, 2023 and Sections 4 and 25 of the *Arms Act, 1959*.

3. This Anticipatory Bail Application is filed by the Accused No.2. Mr. Vipul Dushing, learned Counsel appearing for the Applicant submitted that as far as Anticipatory Bail Application filed by Accused No.1-Bhushan Kantilal Mane, the Informant - Shailesh Pawar has filed an Affidavit before the learned Additional Sessions Judge and the Informant has given consent for grant of anticipatory bail to the Accused No.1, contending that due to misunderstanding he has filed the FIR. He therefore submits that the Applicant is also entitled for anticipatory bail.

4. On the other hand, Ms. Yadav, learned APP strongly opposes the Anticipatory Bail Application.

5. The prosecution case is set out in Paragraph No.2 of the Order dated 28th May 2025 passed by the learned Additional Sessions Judge, Indapur, District - Pune in Anticipatory Bail Application No.166 of 2025. The said Paragraph No.2 reads as under :-

“2. The brief facts, which led to the filing of the FIR can be summarized as under -

That on 13/05/2025, informant Shailesh Pawar lodged the FIR with Indapur Police Station, alleging that around 12.15 am, he received a mobile call of a person by name Bhushan Mane, which he did not pick up. After some time, he heard hurling of abuses and therefore, saw from the window that two cars and four persons were present outside his house. He came out of the house and saw present applicant Manoj and his associate Bhushan Mane accompanied by two unknown persons. Associate Bhushan Mane was armed with a Sythe locally called as Koyta. On his enquiry with them as to why they were abusing him?, applicant Manoj, his associate Bhushan Mane and other two unknown persons, threatened to kill and started to scuffle with him. Someone from those assailants snatched away gold chain from his neck. On seeing arrival of Shubham Pawar at the spot, all of them left the spot. Making such allegations, he lodged the FIR and accordingly crime as above came to be registered. The applicant apprehends his arrest in the present crime and therefore, he is seeking protection by way of anticipatory bail.”

6. The prosecution case as set out herein above, clearly shows that the offence is very serious. However, it is required to note the observations made in the Order dated 30th June 2025 passed by the learned Additional Sessions Judge, Indapur, District-Pune filed by Accused No.1 i.e. Bhushan Kantilal Mane, and more particularly Paragraph No.7 of the same. The said Paragraph No.7 reads as under :-

*“7. I have carefully gone through submission and record. The record of the case indicates that the name of the present applicant is reflected in the FIR and his complicity in the commission of alleged crime is also revealed in the investigation papers. The supplementary statement of informant as well as statements of witnesses confirm the presence and active participation of the present applicant in the commission of present offence. However, it is a matter of record **that by filing reply of Exh. 7 informant Shailesh Pawar has consented for grant of anticipatory bail by mainly contending that due to misunderstanding he had filed the present FIR. At that time, due to fear and tension he had mentioned in the FIR about the weapons and gold chain. In fact, no incident as alleged in the FIR has ever taken place. Having regard to this aspect, very liberal approach needs to be adopted.**”*

(Emphasis added)

7. Thus, in fact the First Informant has stated that due to misunderstanding the FIR has been lodged and due to fear and tension, in the FIR it is mentioned about the weapons and gold chain. In fact, no such incident as alleged in the FIR has ever taken place.

8. Thus, the case is made out for grant of anticipatory bail. In view thereof, the following Order is passed:

ORDER

- (a) In the event of arrest of the Applicant - Manoj Appasaheb Anantkar, in connection with CR No.345 of 2025 registered with the Indapur Police Station, District-Pune, he be released on bail on his furnishing PR Bond in the sum of Rs.10,000/- with one or two solvent sureties in the like amount.
- (b) The Applicant shall attend the concerned Police Station, as and when called by the Investigating Officer till filing of the Charge-sheet and shall cooperate with the investigation.
- (c) The Applicant shall furnish his cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.
- (d) The Applicant 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 such a person from disclosing the facts to the Court or to any Police personnel.

(e) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.

9. The Anticipatory Bail Application is disposed of accordingly.

[MADHAV J. JAMDAR, J.]