

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

Anticipatory Bail Application No.1724 of 2025

1. Kishan Singh Saun
Age 44 yrs, Occ: Driver
R/o 792, Kolhapur chawl No.1,
Vishnunagar, Digha, Thane-400708.

2.Amit Kumar Ramdhari Singh
Age: 39, Occ: driver,
Add: Room No.188/7,
Thane Belapur Marg, Lal Bahadur
School, Elthanpada, Navi Mumbai.

3. Ashok Yadavrao Salve
Age: 53, Occ:Service,
Add: Room No.171, Shivshahi
Saunsta, Elthanpada, near
Perulkar company, Digha,
Navi Mumbai.

4. Ajay Kailas Gupta
Age:23, Occ : NA
Add: 886, Elthanpada
Digha, Navi Mumbai, Lal Bahadur
Shastri School, Airoli, Navi Mumbai.

5. Rohit Hansraj Ahirwar
Age: 32 Occ: service
Add: Room No.9133,
Jai Shreeram Rahivasi Seva Saunsta
Thane Belapur road, near SBS school,
Elthanpada Digha, Navi Mumbai.

..... Applicants.

Vs.

The State of Maharashtra
Through Rabale MIDC Police Station
served through PP

... Respondent.

Mr Tuushar Sonawane for the applicant.
Mr MG Patil, APP for the respondent / State.
PSI Sachin Ghodke, Rabale MIDC Police Station.

Coram : R.N.Laddha, J.
Date : 27 June 2025.

P.C. :

By this application, the applicant seeks pre-arrest bail in connection with CR No.183 of 2025, registered at Rabale MIDC Police Station, Navi Mumbai, for offences punishable under Sections 309(4), 126(2), 189(2), 191(2), 190, 352, 351(3), 324(4) of the Bharatiya Nyaya Sanhita (BNS).

2. The prosecution case, as set forth in the First Information Report (FIR), is that on 15 May 2025, at about 11:00 am, the informant was returning home in his auto-rickshaw. Upon reaching near the Lal Bahadur Shastri School, he was intercepted by the co-accused Sanjeev Thakur (accused No.1) along with an unidentified

individual. The two intentionally obstructed his path, confronted him, and issued a threatening ultimatum demanding the removal of a tree planted in front of their residence. They warned that non-compliance would result in his death. Subsequently, accused No.1 Sanjeev forcibly took Rs 800/- from the informant's pocket and fled the scene. Following this, the applicants restrained the informant, subjected him to verbal abuse and threats, and damaged the roof of his auto-rickshaw.

3. The learned Counsel appearing on behalf of the applicants, submits that the principal allegation of robbery is specifically attributed to accused No.1 and not to the present applicants. The sole allegation against the applicants pertains to alleged acts of verbal abuse, issuing threats, and damaging the roof of the informant's auto-rickshaw. He submits that there is no allegation of robbery against the applicants. The learned Counsel further contends that the nature of the allegations made against the applicants is vague and lacks the specificity required to justify any criminal charge. Furthermore, there is no necessity for custodial interrogation of the applicants, as nothing is to be recovered from them. The applicants are willing to

cooperate with the investigation.

4. On the other hand, the learned Additional Public Prosecutor representing the respondent/ State opposes the applicants' plea for anticipatory bail. He contends that the applicants are specifically named in the FIR, and if granted anticipatory bail, they may tamper with the evidence or influence the witnesses.

5. Upon perusing the records, it appears that while the applicants have indeed been named in the FIR, their alleged involvement appears to be limited in scope. The allegations against them pertain primarily to verbally abusing and threatening the informant, as well as allegedly damaging the roof of the informant's auto-rickshaw. However, the claim regarding the tearing of the vehicle's roof rests solely on the informant's assertion, and no independent corroboration of this allegation is present in the record. Furthermore, the more serious accusation of robbery has been attributed to accused No.1 and an unidentified individual, with no such role ascribed to the present applicant. There is no indication that any incriminating articles are required to be recovered or discovered from them. Additionally, there are no

allegations suggesting that the applicants were armed or made use of any weapon during the incident. The prosecution's apprehension that the applicants may tamper with the evidence or influence witnesses, can be taken care of by imposing appropriate conditions.

6. Considering the nature of the allegations made against the applicants, this Court is inclined to allow the present application. Hence, the following order.

ORDER

(i) In the event of the applicants' arrest in connection with CR No.183 of 2025, registered at Rabale MIDC Police Station, Navi Mumbai, they shall be released on bail upon executing a PR Bond of Rs.25,000/- each and furnishing one or more sureties in the like amount.

(ii) The applicants shall attend the concerned Police Station as and when required.

(iii) The applicants, themselves or

through any other person, shall not
indulge in any activity that may tamper
with the evidence or influence witnesses.

7. The application stands disposed of accordingly.

[R. N. Laddha, J.]