

AGK

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

ANTICIPATORY BAIL APPLICATION NO.1781 OF 2025

Kayyun Mohammad Ramjan ... Applicant

V/s.

The State of Maharashtra ... Respondent

Mr. A.K. Chauhan with Ms. Damini Mishra for the applicant.

Mrs. Kranti T. Hiwrale, APP for the respondent-State.

Mr. Rajratna Khairnar, API, Khandeshwar Police Station, is present.

Mr. Sanjay Dhupkar, PSI, EOW, Raigad, is present.

Digitally
signed by
ATUL
GANESH
KULKARNI
Date:
2025.09.08
17:46:44
+0530

CORAM : AMIT BORKAR, J.

DATED : SEPTEMBER 8, 2025

P.C.:

1. The applicant, apprehending arrest in connection with Crime Register No. 27 of 2025 registered with Khandeshwar Police Station for offences punishable under Sections 303(2), 317(2), 3(5), 352(2), 336(2), 340(2), and 317(4) of the Bharatiya Nyaya Sanhita, 2023 read with Section 42 of the Telecommunication Act, 2023, has approached this Court seeking relief of anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

2. As per the prosecution, co-accused Meherdin Bhimshah Khan had loaded stolen goods, namely copper wire cables, in an Eicher Tempo from Panvel and transported them towards Delhi. When the

Tempo reached Manesar border, the present applicant is alleged to have boarded it. It is further alleged that the applicant received the stolen goods and stored them in his own godown. During investigation, the godown owner, Mr. Dinesh Gyandhar Patel, disclosed that the copper cables were stripped of their outer plastic covering and the copper wires were shifted to another location.

3. Learned Advocate for the applicant submitted that the applicant has been falsely implicated. It was contended that the applicant was never entrusted with the stolen goods and has no connection with their transportation or storage. It was further submitted that the amount of Rs. 8 lakh found in the applicant's account was a loan taken by him. The applicant was never present at Parnel, the alleged place of occurrence. No recovery has been effected from him. Learned counsel also pointed out that the applicant is suffering from serious medical ailments. On these grounds, prayer was made for grant of pre-arrest bail.

4. On the other hand, learned APP opposed the application. She submitted that the statement of the godown owner recorded by the investigating agency clearly indicates that the applicant had requested for use of the godown and had taken the keys, whereafter the goods in question were stored by him. It is further alleged that after three days, the applicant removed the stolen cables from the godown. In February 2025, the applicant also disclosed to the godown owner that a police case was registered concerning those goods. The prosecution submitted that the applicant is not cooperating with the investigation and has failed to disclose the whereabouts of the stolen goods. Hence, the

application for anticipatory bail deserves to be rejected.

5. I have considered the rival submissions and perused the material placed on record. The allegations against the applicant are not of a minor nature. The prosecution case shows that the stolen copper cables were transported from Panvel and thereafter stored in the godown with the knowledge and involvement of the applicant. The statement of the godown owner specifically attributes the role of the applicant in requesting for the keys of the godown, storing the goods, and later removing them after a few days.

6. The contention of the applicant that he has been falsely implicated and that there is no recovery from him, cannot be accepted at this stage. The material collected during investigation indicates a direct role attributed to the applicant in receiving and concealing stolen property. The explanation of the applicant regarding the loan amount in his bank account also cannot be verified at this stage and would require scrutiny during trial.

7. The investigation is still in progress. The whereabouts of the stolen goods are yet to be traced. The prosecution has pointed out that the applicant is not cooperating with the investigation and is withholding crucial information. In such circumstances, granting anticipatory bail at this stage would adversely affect the progress of investigation.

8. The medical condition pleaded by the applicant can be taken care of by the authorities in accordance with law, if the applicant is taken into custody. This ground by itself is not sufficient to enlarge

him on anticipatory bail.

9. Having regard to the gravity of the offence, the specific role attributed to the applicant in storing and removing the stolen property, and the need for custodial interrogation to trace the stolen goods, I find no case is made out for grant of anticipatory bail.

10. Accordingly, the anticipatory bail application stands rejected.

(AMIT BORKAR, J.)