

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

ANTICIPATORY BAIL APPLICATION NO. 2359 OF 2025

Ishitiyak Ahmed Choudhary

...Applicant

V/s.

The State of Maharashtra

...Respondent

Mr. Akshay Bhalerao a/w Adv. K. Shaikh, Advocate for the Applicant.

Mr. R. M. Pethe, APP for the Respondent/State.

CORAM : N.R. BORKAR, J.
DATE : 10.11.2025.

P.C. :

1. This is an application for Anticipatory Bail.
2. The applicant is apprehending his arrest in Crime No. 505 of 2025 registered at Narpoli Police Station, for the offences punishable under Sections 306, 317(4), 338 & 3(5) of the Bharatiya Nyaya Sanhita, 2023.
3. It is the case of the prosecution that co-accused Mithun Joy Baisiya was working as a manager at the godown of the first informant. It is alleged that the said co-accused Mithun Joy Baisiya had committed theft of goods worth Rs. 37,70,000/- from the

godown of the first informant and sold the said goods to the firm of the applicant.

4. I have heard the learned counsel for the applicant and the learned APP for the respondent-State.

5. The learned counsel for the applicant submits that the applicant has nothing to do with the alleged crime. It is submitted that there is no need of custodial interrogation and the applicant is ready to co-operate in the investigation. It is submitted that there are no other criminal antecedents against the applicant.

6. On the other hand, the learned APP for the respondent-State has drawn my attention to the statement of witness Mustak Shaikh and certain bank entries. It is submitted that the involvement of the applicant is apparent from the statement of said witness. It is submitted that considering the nature of crime, the applicant may not be released on anticipatory bail.

7. I have perused the statement of witness Mustak Shaikh. The main allegations are against the son of the applicant. Considering the said facts and as there are no other criminal

antecedents, I am inclined to release the applicant on anticipatory bail. In the result, the following order is passed :

ORDER

- a) The Application is allowed.
- b) In the event of arrest of the applicant in connection with Crime No. 505 of 2025 registered at Narpoli Police Station, for the offences punishable under Sections 306, 317(4), 338 & 3(5) of the Bharatiya Nyaya Sanhita, 2023, the applicant be released on bail on furnishing P.R. Bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.
- c) The applicant shall attend the concerned police station as and when called by the investigating officer and shall co-operate in the investigation.

[N.R.BORKAR, J.]