

Shabnoor

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

ANTICIPATORY BAIL APPLICATION NO. 2511 OF 2025

Rahul Kumar S/o Rajnath Prasad ... Applicant

V/s.

The State of Maharashtra ... Respondent

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Mr. Sandeep K. Singh with Surekha Kharwar, A. K. Tiwari for the Applicant.

Mr. Sagar R. Agarkar, APP for the State-Respondent.

Mr. Madhukar Shirke, PSI, Kharghar Police Station is present.

CORAM : AMIT BORKAR, J.

DATED : SEPTEMBER 16, 2025

P.C.:

1. By this application, the applicant seeks the relief of pre-arrest bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS). The apprehension of arrest arises in connection with Crime Register No.18 of 2025 registered with Kharghar Police Station, Navi Mumbai for offences punishable under Sections 318(4), 340, 336(3), 338 read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023 (BNS).

2. The learned Advocate for the applicant has argued that the only material recovered against the applicant is cash amounting to Rs. 3,43,000/-. Apart from this recovery, no incriminating material has been seized from him which may directly connect him with the alleged offence. It is further submitted that the investigation

conducted so far has not revealed any circumstance which would require the custodial interrogation of the applicant. Hence, according to the applicant, his arrest would serve no fruitful purpose and the grant of pre-arrest bail would not hamper the investigation.

3. On going through the record placed before this Court, it appears that the applicant is an employee of the company which is under investigation. There is, at present, no material to suggest that the applicant was part of the management or was involved in any decision-making process of the said company. The only recovery shown is of Rs. 3,64,000/- in cash along with a cellphone from a cupboard in the applicant's residence at Bihar. Except for this recovery, no other incriminating article has been brought on record against him.

4. At this stage, it is relevant to note that the purpose of custodial interrogation is to unearth material evidence and to secure cooperation in the investigation. Where the prosecution is unable to show that such interrogation is indispensable, the arrest of the applicant would not be justified. Further, the law is well settled that pre-arrest bail can be granted if the accusation does not appear to be supported by cogent evidence and if the applicant has cooperated with the investigation.

5. In the present case, having regard to the limited role of the applicant as disclosed in the record, and the fact that no material is placed to indicate his active participation in the alleged acts of the company, a prima facie case is made out to extend interim

protection to the applicant. This will secure his liberty while also ensuring that the investigation continues unhindered.

6. Hence, following order:

a) Till the next date, in the event of arrest in connection with Crime Register No. 18 of 2025, the applicant be released on interim bail on furnishing P.R. bond of Rs.25,000/-, along with one or two sureties in the like amount.

b) The applicant shall remain present before the concerned police station, as and when called by the investigating officer, between 11:00 am to 2:00 pm.

c) The applicant shall not directly or indirectly make any inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

d) The applicant shall not obstruct or hamper the police investigation and not to play mischief with the evidence collected or yet to be collected by the police.

e) The applicant shall, at the time of execution of the bond, furnish his address and mobile number to the investigating officer, and the Court concerned, and shall not change the residence till the final disposal of the case.

7. Stand over to **22 September 2025**.

(AMIT BORKAR, J.)