

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

ANTICIPATORY BAIL APPLICATION NO. 2850 OF 2025

Kirti Kumar Jain

...Applicant

V/s.

The State of Maharashtra and Anr.

...Respondents

Adv. Kushal Mor, Adv. Nitesh Jain, Adv. Kewal Vaibhav H, Adv. Adrish Majumder, Adv. Sanjana Mehta, Advocate for the Applicant.
Mr. V. N. Sagare, APP for the Respondent/State.
P.S.I. Sanjay Sonkamble.

CORAM : N.R. BORKAR, J.
DATE : 10.10.2025.

P.C. :

1. This is an application for Transit Anticipatory Bail.
2. The applicant is apprehending his arrest in Crime No. 121 of 2025 registered at Hathipol Police Station, Dist. Udaipur, Rajasthan for the offences punishable under Sections 324(4), 324(5), 331(4), 189(2) & 61(2) of the Bharatiya Nyaya Sanhita, 2023.
3. I have heard the learned counsel for the applicant and the learned APP for the respondent-State.

4. The present crime is registered against the applicant on the basis of the alleged incident of mischief that took place on 26.09.2025. Upon registration of the present crime a Look Out notice was issued against the applicant. On 09.10.2025, pursuant to the Look Out notice the applicant was detained at Mumbai Airport by the Bureau of Immigration. Thereafter, the Bureau of Immigration intimated the concerned police station regarding the detention of the applicant. The applicant complained about experiencing chest pain, due to which he was admitted to Hinduja Hospital under the supervision of the Immigration Authorities.

5. The learned counsel for the applicant submits that on the date of alleged incident, the applicant was not in India. It is submitted that false allegations are made against the applicant, out of rivalry by a competing party. It is submitted that detention by the Bureau of Immigration does not constitute an arrest. It is submitted that the police personnel at the concerned police station are attempting to arrest the applicant.

6. I have perused the First Information Report annexed as Exhibit-A to the application at page No.17. There are no

allegations that the applicant was present at the place of incident. Considering the overall facts and circumstances of the case, the Bureau of Immigration shall not hand over the custody of the present applicant to the concerned police personnel for a period of one week. During the said period of one week, the applicant shall approach the jurisdictional court for appropriate relief.

7. The application is disposed of in the aforesaid terms.

[N.R.BORKAR, J.]