

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

ANTICIPATORY BAIL APPLICATION NO. 2924 OF 2025

Kalpesh Vasant Tarmale

...Applicant

V/s.

The State of Maharashtra

...Respondent

**WITH
INTERIM APPLICATION NO. 4074 OF 2025**

Mr. Uday Warunjikar a/w Mr. Onkar Mane, Advocate for the Applicant.

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

Mr. Akshay Lengare a/w Mr. Aniket Sangle & Adv. Anis Shaikh Advocate for Intervener in IA/4074/2025.

**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. 932 of 2025 registered at Mahatma Phule Police Station, for the offences punishable under Sections 318(4) of the Bharatiya Nyaya Sanhita, 2023.
3. It is the case of the prosecution that the applicant took a sum of Rs.1,44,00,000/- from the first informant and his brother for transferring the license of Country Liquor Shop in the name of first informant from its original licensee. The allegations against the Applicant are of defrauding the said amount.

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 out of the alleged amount according to first informant himself the applicant has paid the amount of Rs.61,00,000/- to the original licensee. It is submitted that at present the first informant is running the shop in question. It is submitted that the application for transfer of the license is still pending before the Collector. It is submitted that there is no need of custodial interrogation and the applicant is ready and willing to co-operate in the investigation.

6. On the other hand, the learned APP for the respondent-State and the learned counsel for the first informant submit that considering the nature of crime the applicant may not be released on anticipatory bail.

7. I have perused the First Information Report. According to the first informant himself, out of Rs.1,44,00,000/-, the present applicant has paid Rs.61,00,000/- to the original licensee. It is not disputed that the application for transfer of the license is still pending before the concerned authority. In that view of the matter, 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. 932 of 2025 registered at Mahatma Phule Police Station, for the offences punishable under Sections 318(4) 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.

d) The applicant shall not commit any other crime.

8. In view of disposal of Anticipatory Bail Application, the Interim Application stands disposed of.

[N.R.BORKAR, J.]