

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

ANTICIPATORY BAIL APPLICATION NO. 2932 OF 2025

Subhash Velji Oganiya

...Applicant

V/s.

The State of Maharashtra

...Respondent

Mr. Kishore Maru, Advocate for the Applicant.

Ms. Rutuja Ambekar, APP for the Respondent/State.

CORAM : N.R. BORKAR, J.
DATE : 18.12.2025.

P.C. :

1. This is an application for Anticipatory Bail.
2. The applicant is apprehending his arrest in Crime No. 353 of 2025 registered at Bandra Railway Police Station, for the offences punishable under Sections 61, 204, 316 & 3(5) of the Bharatiya Nyaya Sanhita, 2023.
3. It is the case of the prosecution that on 01.09.2025 at around 7.00 pm., while the first informant was waiting near the canteen at Platform No 1 of Bandra Railway Terminus for going to

Gujarat, the co-accused by impersonating to be police officials took the search of his bag, which he was carrying. It is alleged that the first informant was carrying 10,30,000/- in his bag for purchasing garments and other items. It is alleged that they took away the said amount and told him that they would return the said amount if he comes with proof that the said amount belonged to him.

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 the case of the prosecution is not consistent. The learned counsel for the applicant submits that according to the prosecution, the only incriminating material against the present applicant is the memorandum statements of the co-accused, which are inadmissible in law. It is submitted that the applicant is ready and willing to co-operate in the investigation.

6. On the other hand, the learned APP for the respondent-

State submits that considering the nature of crime, the custodial interrogation of the present applicant is necessary. It is submitted that the applicant is involved in one more crime of similar nature.

7. I have perused the papers of investigation more particularly the memorandum statements of the co-accused. From the said memorandum statements of the co-accused, the applicant appears to be one of the conspirators. The applicant is involved in one more crime of similar nature. Considering the overall circumstances, I am not inclined to release the applicant on anticipatory bail. The application is rejected.

[N.R.BORKAR, J.]