

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION (ST) NO.25123 OF 2025

Maulla Ibrahim Mulani	...Applicant
<i>Versus</i>	
State of Maharashtra	...Respondent

Mr. Pranav H. Bhoite, Advocate for Applicant.
Ms. S.N. Yadav, APP for the State.
HC, V.S. Lodi, Bhigvan Police Station, Pune Rural present.

CORAM: MADHAV J. JAMDAR, J.
DATED : 11th December 2025

P.C.:

1. Heard Mr. Bhoite, learned Counsel appearing for the Applicant and Ms. Yadav, learned APP for the State.
2. By this application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ("BNSS"), the Applicant is seeking pre-arrest bail in connection with C.R. No.267 of 2025, registered with Bhigwan Police Station, Taluka Indapur, Pune Rural, for the offences punishable under Sections 324(3), 324(5) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 ("BNS").
3. It is the case of the prosecution that the Applicant and other unknown persons by use of J.C.B. machine demolished the public toilet located at City Survey No. 805 of village Bhigwan.

4. It is the submission of Mr. Bhoite, learned Counsel for the Applicant that there is a civil dispute between the Complainant and Gram Panchayat, Bhigwan regarding land bearing Gat No. 349 and City Survey No. 805. He submits that all the offences are bailable and triable by the Magistrate. There is delay of 2 days in lodging the F.I.R. and he has been impleaded as there is civil dispute and merely on suspicion.

5. On the other hand, Ms. Yadav, learned APP strongly opposes the Application. She submits that the offence is very serious, where the public toilet has been demolished.

6. Mr. Bhoite, learned Counsel for the Applicant submits that the said public toilet was not being used for last about 20 years and the same was without doors for number of years.

7. Perusal of record shows that the F.I.R. has been lodged on the basis of the information given by Sarpanch of village Bhigwan– Gurappa Gangappa Pawar. On the basis of the information given by Sarpanch, the First Informant– Dattatray Bhagirath Pardeshi i.e. Gram Panchayat Officer, has lodged the F.I.R.. The statement of Gurappa Gangaram Pawar also shows that four other persons have

given information to them. The statements of those persons show that they also came to know about the said incident from others.

8. Thus, *prima facie* there is substance in the contention raised by the learned Counsel for the Applicant that merely on suspicion, the F.I.R. has been lodged against the present Applicant. In any case, the offences are bailable.

9. Accordingly, case is made out for grant of anticipatory bail by imposing certain conditions. Hence, following Order is passed:

ORDER

- (i) In the event of arrest, the Applicant - Maulla Ibrahim Mulani be released on bail in C.R. No.267 of 2025 registered with Bhigvan Police Station, Taluka Indapur Pune Rural, on executing P.R. bond of Rs.25,000/- and furnishing one or two sureties in the like amount.
- (ii) The Applicant shall attend the concerned Police Station on 19th December 2025 between 11.00 a.m. to 2.00 p.m. and thereafter as and when called by the Police and shall co-operate with the investigation.

- (iii) The Applicant shall furnish his cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.
- (iv) The Applicant shall not directly or indirectly make any inducement, threat, or promise to any person acquainted with the facts of the case so as to dissuade such a person from disclosing the facts to the Court or to any Police personnel.
- (v) The Applicant shall not leave India without prior permission of the Court.
- (vi) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant, or any witness, in any manner.

10. The Anticipatory Bail Application is allowed and disposed of accordingly.

(MADHAV J. JAMDAR, J.)