IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

919 ANTICIPATORY BAIL APPLICATION NO. 1937 OF 2026

Yusuf Dada Chaughule
VERSUS
The State Of Maharashtra And Another

Mr. N. B. Narwade, Advocate for Applicant
Mrs. P. J. Bharad, APP for Respondents

CORAM : R.M. JOSHI, J
DATE : OCTOBER 30, 2026

P. C. :

1. Applicant apprehends arrest in connection with C.R. No. 381/2026 registered with Police Station Sangamner Taluka, District Ahilyanagar for the offences punishable under Sections 123, 223, 274, 275 read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. First information report indicates that an accident was reported to the police of vehicle bearing registration no. MH-01-BB-9149. It was found by the police that in the said vehicle, contraband gutka and pan masala being was carried out. Accordingly, FIR came to be lodged.

3. Learned Counsel for the Applicant submits that only on the basis of alleged statement of co-accused, involvement of the Applicant is sought in this crime. According to him, having regard to the fact that the entire contraband is already seized, custodial interrogation of the Applicant is not necessary. To support his submissions, he placed reliance on following

orders: *Ajay Govind Bombatkar vs. The State of Maharashtra, ABA No. 864/2023*, *Gaurav Jayantbhai Hapani vs. The State of Maharashtra, ABA No. 3406/2022*, *Rehan Khan Yasin Khan vs. State of Maharashtra and Another, Criminal Application (APL) No. 994 of 2026* and *Yusuf S/o Dada Chaughule vs. The State of Maharashtra and Another, Special Leave Petition (Cri) No. 1957/2025*.

4. In response to the contention of learned APP with regard to the evidence about invoice of repair of the vehicle, according to him, unless Applicant is owner of the said vehicle, question of he getting vehicle repaired does not arise.

5. Learned APP opposed grant of any relief to the Applicant by pointing out that herein this case apart from the statement of co-accused, there is evidence indicating connection of present Applicant with the vehicle involved in the crime. It is her submission that there are five offences registered against him out of which one offence is of similar nature and Applicant is on bail and while he is on bail, he has committed present crime.

6. At the outset, this Court would like to deal with the orders placed on record in order to seek support to the argument by the learned Counsel for the Applicant. Perusal of these orders indicate that save and except statement of co-accused, there is no other evidence to connect this Applicant with the crime in question. It is not so in the instant case. Even

excluding statement of co-accused, there is evidence in the form of invoice of repair of the vehicle in the name of Applicant, which was involved in the crime. Thus, it cannot be said that there is no other evidence to connect Applicant with the crime. Applicant is on bail on similar crime. While on bail, he has committed crime in question and, therefore, Applicant is not entitled for discretionary relief.

7. In view of above, Application stands dismissed.

(R. M. JOSHI, J.)

Malani