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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

VASANT ANANDRAO IDHOL

ANTICIPATORY BAIL APPLICATION NO.1628 OF 2026

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Date: 2026.10.08 20:00:54 +0530

Mohd.Asaraf Alihasan Khan ...Applicant
V/s.
State of Maharashtra & Anr. ...Respondents

Mr.Ashok Kumar Dubey with Mr.Amit Pandey i/b SAVJ Law Solutions for the Applicant.

Mr.Prasanna P. Malshe, APP for the Respondent – State.

Mr.Bilal A. Mohorwala for the Complainant.

Mr.Vinod Chavan, API, Narpoli Police Station is present in Court.

CORAM : PRAFULLA S. KHUBALKAR, J.
DATE : 8TH OCTOBER, 2026.

P.C. :-

1. Heard learned counsel for applicant and learned APP for respondent.

2. By this application filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) for seeking pre-arrest bail in connection with Crime No.352 of 2026 registered with Narpoli Police Station for the offence punishable under Section 306 read with

Section 3(5) of Bharatiya Nyaya Sanhita, 2023 (BNS).

3. The FIR is registered on the basis of the report lodged by the Head Supplier of the Company by name Seize International Pvt. Ltd. situated at Bhiwandi. The complainant has alleged that on 18th April, 2026 when the furniture boxes were being loaded for transportation, in the CCTV footage, it was seen that the persons who were working as helpers, named in the FIR had committed theft of furniture boxes. On the basis of this report, FIR came to be registered against two accused persons. The applicant is not named in the FIR as accused person.

4. Learned counsel for applicant submits that this applicant is not named in the FIR and the report is lodged on the basis of the CCTV footage which showed the presence of only two accused persons. He submits that there is no material to show any overt act on the part of this applicant in the alleged offence of theft. Apart from this, he submits that the applicant was granted interim protection by this Court by an order dated 30th July, 2026 which is not misused. He further submits that considering the registration of the offence against the accused persons, he is ready to join in the investigation and extend co-operation. Learned counsel for applicant therefore, prays for confirmation of the interim protection.

5. The application is opposed by the learned APP as well as learned counsel for respondent no.2. He submits that the offence is registered on the basis of the CCTV footage and even the applicant has accompanied the accused persons. Learned counsel for respondent no.2 submits that during inquiry and audit of stock in this regard it has been revealed that the applicant along with other accused persons have committed similar acts of theft. He therefore, submits that the applicant's involvement in the offence with others is apparently clear.

6. On perusal of FIR and documents filed on record, it has to be noted that the offence is registered on the basis of CCTV footage which according to the complainant disclosed the presence of only two persons who are named in the FIR. The applicant is not arrayed as an accused. Thus at this stage the contentions of the respondents that the applicant was also seen in the CCTV footage does not appear to be acceptable since the offence is registered on the basis of the CCTV footage, which showed presence of only two persons.

7. Further, considering the fact that the applicant was granted interim protection by an order dated 30th July, 2026, which is not misused by him, the interim protection needs to be confirmed. Considering the fact that the offence is registered against the applicant, he needs to be directed to join in the investigation and

extend co-operation.

8. Hence I pass the following order :-

O R D E R :

a). The application is allowed.

b). In the event of arrest of this applicant in connection with Crime No.352 of 2026 registered with Narpoli Police Station for the offence punishable under Section 306 read with Section 3(5) of BNS, he be released on bail on furnishing P. R. Bond of Rs.25,000/- with one solvent surety in the like amount.

c). The applicant is directed to attend the Police Station on every Monday for a period of four weeks and thereafter as and when called upon by the Investigating Agency. The applicant shall extend co-operation during the investigation and trial.

9. Accordingly, the instant applicant is allowed and disposed of.

(PRAFULLA S. KHUBALKAR, J.)