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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

VASANT ANANDRAO IDHOL

ANTICIPATORY BAIL APPLICATION NO.2030 OF 2026

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Date: 2026.10.12 19:17:28 +0530

Mohammad Arif Abdul Khan & Anr. ...Applicants
V/s.
State of Maharashtra ...Respondent

Mr.Suraj Singh with Mr.Deepesh Thapur for the Applicants.

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

Mr.Ambadas Sawant, PSI, Mumbra Police Station, Thane is present in Court.

CORAM : PRAFULLA S. KHUBALKAR, J.
DATE : 9TH OCTOBER, 2026.

P.C. :-

1. Heard learned counsel for applicants as well as learned APP for the State.

2. The applicants have filed the instant application for seeking pre-arrest bail in FIR No.869 of 2026 registered with Mumbra Police Station, Thane for the offence punishable under Sections 115(2), 118(2), 3(5) and 352 of Bharatiya Nyaya Sanhita, 2023 (BNS).

3. It has to be noted that although this application is filed by two applicants viz. Mohammad Arif Abdul Khan and Mohammad Osama Khan. The application for anticipatory bail as far as applicant

no.1 was concerned, the same was withdrawn as recorded in the order dated 29th July, 2026 and the application of applicant no.2 i.e. Mohammad Osama Khan was only thereafter considered. By an order dated 29th July, 2026 interim protection was granted in favour of applicant no.2.

4. Learned counsel for applicant no.2 submits that no role is attributed as against this applicant and he is arraigned as accused because of his presence on the spot at the relevant time and on the basis of the allegation of attack by fists and blows. It is submitted that the charge-sheet is already filed and therefore, there is nothing to be recovered from this applicant. It is stated that the applicant has not misused the interim protection and therefore, this applicant prays for confirmation of the interim protection.

5. Learned APP on instructions from the Investigating Officer, who is present in Court makes a statement that the investigation in the matter is complete. The main role of assault is attributed against applicant no.1, who has already chosen to withdraw the application and who is subsequently arrested. He submits that there is no recovery from this applicant and since charge-sheet is filed, therefore the instant application filed by applicant no.2 - Mohammad Osama Khan be decided.

6. In view of above, I do not find any need for custodial interrogation of this applicant and therefore, interim protection granted in favour of applicant no.2 needs to be confirmed and hence I pass the following order :-

O R D E R :

a). The instant application is allowed.

b). In the event of arrest of applicant no.2 in Crime No.869 of 2026 registered with Mumbra Police Station, Thane, he be released on bail on furnishing P. R. Bond of Rs.25,000/- with solvent surety in the like amount.

c). Applicant no.2 is directed to extend co-operation during the investigation and trial.

7. The instant application is allowed and disposed of.

(PRAFULLA S. KHUBALKAR, J.)