ARJUN VITTHAL KUDHEKAR
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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2497 OF 2026

1. Jahangeer Kamarali Ansari …Applicants
2. Razi Ahmad Khan

Versus

The State of Maharashtra & Anr. …Respondents

Mr. Imtiyaz S. Shaikh a/w Saipan D. Shaikh & Hemant P. Ingale, for the Applicants.
Mr. S. V. Walve, APP, for the Respondent-State.
Ms. Kajal Nishad a/w Roshni Vishwakarma, for Respondent No.2.

CORAM: MADHAV J. JAMDAR, J.
DATED: 01 OCTOBER 2026

PC:-

1. Heard Mr. Shaikh, learned Counsel appearing for the Applicants, Mr. Walve, learned APP, for the Respondent-State of Maharashtra and Ms. Kajal Nishad, learned Counsel appearing for Respondent No.2.

2. By this Anticipatory Bail Application filed under Section 482 of the *Bharatiya Nagarik Suraksha Sanhita, 2023*, the Applicants are seeking pre-arrest bail in connection with CR No.559 of 2026 registered with the Kondhwa Police Station, Pune City, for the offences punishable under Sections 105, 287, 326 and 3(5) of the *Bharatiya Nyaya Sanhita, 2023*.

3. The prosecution case is set out in Paragraph No.2 of the Order dated 25th August 2026 passed by the learned Additional Sessions Judge, Pune in Bail Application No.3953 of 2026, which reads as under:

> "*2.* ***Prosecution story in short :***
>
> *There are allegations in the FIR that on 17/07/2026 in the night at 9:00 pm at godown situated in Firdose Apartment at Juned Chowk, S.No.5, Ashrafnagar, Kondhwa wherein the work of wielding of iron rack for storing oil paint and other material was going on at that time there was a fire in this godown and as there was storage of explosive substances such as thinner, hardner, oil paint, turpentine and other plastic material due to which there was huge fire and as the shutter of godown was closed Mr. Irfan Shaikh who was doing the wielding work inside the godown died due to severe burn injuries. The applicant and co-accused Jehangir Ansari falsely told the fire fighter employees that nobody is there in the godown. So, they tried only to control the fire which was near the shutter, but as Irfan Shaikh was inside he could not be saved and he succumbed to burn injuries. Therefore, as the present applicant had taken this godown on rent and as he had engaged Irfan Shaikh for work so, the FIR is filed against him and co-accused Razi Khan who is the owner of the godown*"

4. As per the prosecution case, the First Informant's husband was doing welding work inside a godown of the Applicants where paint material was stored. Since suddenly fire took place, the husband of the First Informant / Respondent No.2 passed away.

5. Mr. Shaikh, learned Counsel appearing for the Applicants, submits that the Applicants were not involved in the crime. He submits that the Applicants were not present even at the spot of the incident. He further submits that the incident is an accident. However, he submits that as the First Informant has lost her husband, the Applicants are ready and willing to pay an amount of Rs.7,00,000/- to compensate her and, accordingly, three Demand Drafts aggregating to Rs. 7,00,000/- i.e. two of Rs.2,00,000/- each and one of Rs.3,00,000/- have been handed over to Respondent No.2. Ms. Kajal Nishad, learned Counsel appearing for Respondent No.2 confirms the said position.

6. Perusal of the record shows that even as per the prosecution case the Applicants were not present at the spot when the incident in question took place.

7. *Prima facie*, there is substance in the contention raised by learned Counsel for the Applicants that the incident is of accident.

8. Accordingly, in the facts and circumstances, case is made out for grant of anticipatory bail.

9. In view thereof, the following Order is passed:

O R D E R

(a) In the event of arrest of Applicant No.1 - Jahangeer Kamarali Ansari and Applicant No.2 - Razi Ahmad Khan in connection with CR No.559 of 2026 registered with the Kondhwa Police Station, Pune City, the Applicants are directed to be released on bail on their furnishing PR Bond in the sum of Rs.10,000/- each with one or two solvent sureties each in the like amount.

(b) The Applicants shall attend the concerned Police Station, as and when necessary and shall cooperate with the investigation.

(c) The Applicants shall furnish their cell phone numbers and residential addresses to the Investigating Officer and shall keep the same updated, in case of any change thereto.

(d) The Applicants 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.

(e) The Applicants 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 disposed of accordingly.

[MADHAV J. JAMDAR, J.]