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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 3901 OF 2026

Vikrant Jaywant Bhoir .. Applicant

Versus

State of Maharashtra .. Respondent

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- Ms. Namasvi Bhanushali a/w Mr. Mithilesh Mishra, for the Applicant.
- Mr. Amit Palkar, APP for the Respondent - State.
- Mr. Abhijeet Patil, API Panvel City Police Station, Raigad

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CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 14, 2026

P.C.:

1. Heard Ms. Namasvi Bhanushali, learned Advocate for Applicant and Mr. Amit Palkar, learned APP for Respondent.

2. This is an Application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking bail in connection with C.R. No.647 of 2022 registered with Panvel City Police Station, Raigad for offences punishable under Sections 386, 452, 506 120-B r/w 34 of the Indian Penal Code, 1860 and under Sections 3(1)(ii), 3(2) and 3(4) of the Maharashtra Control of Organised Crime Act, 1999 (for short '**MCOC Act**')

3. The Applicant is incarcerated in prison for 3 years, 2 months and 17 days pending trial.

4. The case of the prosecution against the Applicant is that, on account of and at the behest of the principal accused person, he used to collect the extortion amount of Rs. 50,000/- and hand it over to the mother of the principal accused person, who is also arraigned as an accused in the present crime.

5. The provisions of the MCOC Act are also invoked against the Applicant.

6. Prima facie, looking at the prosecution case, at the highest, barring the role of the Applicant under the MCOC Act, which is none, the highest that the prosecution can argue is about criminal intimidation and wrongful restraint acts committed by the Applicant while collecting the amount of Rs. 50,000/- from the complainant and handing it over to the other accused person.

7. The role attributed to the Applicant, according to the prosecution case, is that between 2020-2022, the Applicant collected an amount of Rs. 50,000/- per month from an employee of the first informant and delivered the same to the other co-accused person, who is the mother of the principal accused person, and that there were 18 or 19 such payments received by him.

8. The fact that the first informant made these payments over a period of two years itself shows the complicity and the agreement of the first informant in aiding the present crime. The Applicant has been

arrested solely on the basis of this charge against him.

9. Though the learned APP, has vehemently argued that the bail application of the Applicant was dismissed previously and that the Applicant was also unsuccessful in prosecuting the same before the Supreme Court, the learned Prosecutor submits that the Applicant should, in that event, be relegated and directed to approach the Special Court before prosecuting this bail application in this Court.

10. Insofar as this submission of the learned APP, is concerned, there is nothing in law which precludes the Constitutional Court from exercising its power under Section 439 of CrPC, which is now Section 483 under the Bharatiya Nagarik Suraksha Sanhita, 2023. Considering the aforesaid prima facie observations regarding the prosecution case and the allegations against the Applicant, the Applicant is released on bail.

11. Hence, in view of above *prima facie* observations and findings, Bail Application of Applicant is allowed subject to the following terms and conditions:-

(i) Applicant is directed to be immediately released from prison in connection with CR. No.647 of 2022;

(ii) Applicant is directed to be released on bail on furnishing P.R. Bond of Rs.15,000/- (Rs. Fifteen

Thousand only) with one or two sureties in the like amount;

(iii) Applicant shall report to the Investigating Officer at concerned Police Station, once every month, on the first Monday of the month between 10:00 a.m. to 12:00 p.m. until commencement of trial and thereafter shall attend all dates of hearing before the Trial Court;

(iv) Applicant shall cooperate with the conduct of the trial and remain present before the Trial Court on all dates, unless specifically exempted. Applicant shall not seek unnecessary adjournments. Any such conduct shall entitle the prosecution to apply for cancellation of bail;

(v) Applicant shall not leave the State of Maharashtra without prior permission of the Trial Court;

(vi) Applicant shall not influence any of the witnesses or tamper with the evidence in any manner;

(vii) Applicant shall keep the Investigating Officer informed of his current residential address and mobile telephone number and shall forthwith inform the Investigating Officer of any change in his residential address or mobile telephone number, as and when such change

occurs; and

(viii) Any breach or infraction of any of the aforesaid conditions shall entail cancellation of the bail granted to the Applicant.

12. It is clarified that the observations made in this order are limited for the purpose of granting bail only and I have not made any observations on merits of the case. The trial shall be adjudicated on the strength of the evidence led and strictly on its own merits being uninfluenced with any of the *prima facie* observations made hereinabove in this order.

13. Bail Application is allowed and disposed in the above terms.

[MILIND N. JADHAV, J.]