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IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

VASANT  
ANANDRAO  
IDHOL

CRIMINAL BAIL APPLICATION NO.4838 OF 2025

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by VASANT  
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|---------------------------------------|---------------|
| Bablukumar Yadav @ Bablu Kumar & Anr. | ...Applicants |
| V/s.                                  |               |
| State of Maharashtra & Anr.           | ..Respondents |

Mr.Adnan Shaikh for the Applicants.

Ms.S.D. Shinde. APP for the State – Respondent.

Ms.Keral Mehta for Respondent No.2.

Mr.Amol Dhole, P.I., attached to Versova Police Station, Mumbai is present in Court.

CORAM : R.M. JOSHI, J.  
DATE : 8TH APRIL, 2026.

P.C. :-

1. The Applicant seeks bail in connection with Crime No.408 of 2025 registered with Bangur Nagar Police Station for the offences punishable under Sections 64(2)(i), 64(2)(m), 70(1), 124(4) and 351(3) of the Bhartiya Naya Sanhita, 2023 (BNS) and under Sections 67(A) and 66(E) of the Information Technology Act, 2000.

2. The first informant is a lady, who had lodged the report with the Police Station at Girdi, State of Jharkhand. The informant also lodged a report with Bangur Nagar Police Station being FIR No.408 of 2025. The allegations against the Applicants and the co-accused is about the victim / prosecutorix being kidnapped from Girdi. It was alleged that the co-accused Manish administered some stupic and substance to her in tea which led to her becoming unconscious. She was kidnapped and brought to Mumbai. The allegation is that she was subjected to sexual assault by the Applicant and the co-accused. On the basis of the said information, offence came to be registered against the Applicants and the co-accused. The Applicants came to be arrested. The co-accused are not arrested till date. On conclusion of investigation against the present Applicants, the chargesheet came to be filed before the Competent Court.

3. Learned counsel for the Applicant submits that in respect of the same crime, offence was registered with Police Station at Girdi and after due investigation of the said crime, the concerned police has filed the closure report. It is his

submission that irrespective of the fact as to whether the informant would be in a position to oppose the said closure report, it is his submission that in respect of the same offence, investigation ought not to have been done by the Mumbai Police. In any case, it is his submission that except for the alleged statement of the victim / prosecutrix, there is no other evidence in order to indicate the involvement of the Applicants in the crime in question. It is his submission that the liberty of the accused No.1, serious allegations are made is protected by this Court by passing interim relief in ABA No.505 of 2026 on 24<sup>th</sup> March, 2026. In support of this submission, he has placed reliance on the closure report submitted by the concerned Police in the State of Jharkhand.

4. Learned APP and learned counsel for Respondent No.2 opposed the application and grant of bail to the Applicants. It is submitted that since the part of the crime has been committed in the city of Mumbai, it was open for the informant to lodge the report in the police station in Mumbai. It is further argued that having regard to the serious nature of accusations made by the

informant against the Applicants and co-accused, this is not a case for grant of bail.

5. Apart from the fact that the crime registered by the informant in the state of Jharkhand was investigated and the closure report is filed, *prima-facie* perusal of the chargesheet does not indicate any other evidence than the statement of the informant / prosecutrix. It is pertinent to note that there is delay in lodging of the FIR. This is coupled with the fact that there is no medical evidence in order to support her case. Pertinently on the face of it, the CDR collected during the course of investigation indicate that Applicant No.1 – Bablukumar was at Kolkata at the relevant time. There is no evidence in respect of Applicant No.2 – Rahul showing his presence in Mumbai at the relevant time. Having regard to these facts, this Court finds *prima-facie* substance in the contention of the learned counsel for the Applicants that there is no evidence to indicate their involvement in the crime. After conclusion of the investigation and filing of the chargesheet, they cannot be kept in jail by way of pre-trial sentence. Hence the order :-

**ORDER:**

- a). The Application stands allowed.
- b). The Applicants be enlarged on bail in connection with Crime No.408 of 2025 registered with Bangur Nagar Police Station on furnishing PR bond of Rs.30,000/- with one or two local sureties in the like amount to the satisfaction of the Trial Court.
- c). The Applicants to attend the trial on each dates of hearing unless exempted by the Trial Court.
- d). The Applicants not to contact the victim directly or indirectly in any manner whatsoever.
- e). It is clarified that above observations are *prima-facie* in nature and would not bind Trial Court / parties during trial.

***(R.M. JOSHI, J.)***