

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 3628 OF 2025

Abdul Rafeek Khan ...Applicant
V/s.
The State of Maharashtra ...Respondent.

.....

Ms Rudrika Bhagat for the Applicant.
Mr. S.R. Agarkar, APP for the Respondent/State.
API Kishor Medhe, Bhandup police station is present.

.....

CORAM : N.R. BORKAR, J.
DATE : 04.02.2026.

P.C. :

1. Mentioned out of turn.
2. This is an application for anticipatory bail.
3. The applicant is apprehending his arrest in Crime No. 786 of 2025 registered at Bhandup Police Station for the offences punishable under Sections 3(5), 340(2), 336(3), 336(2) and 318(4) of the Bharatiya Nyaya Sanhita, 2023.
4. The first informant is a police constable working at Bhandup Police Station. On 19th September 2025 while on patrolling duty he found that two tempos, which were parked at construction site, were having the same registration number plate. During the course of investigation, it was found that the said tempos were

owned by co-accused Saddam Shaikh and they were hired by the present applicant. The allegations against the present applicant and other co-accused are thus of forgery and cheating.

5. I have heard the learned counsel appearing for the applicant and the learned APP for the respondent / State.

6. Learned counsel for the applicant submits that the applicant has nothing to do with the alleged crime. It is submitted that the applicant is a scrap dealer and he hired the services of the co-accused to transport the scrap. It is submitted that nothing is to be recovered at the instance of the applicant and therefore, there is no need of custodial interrogation. It is submitted that there are no other criminal antecedents against the applicant.

7. On the other hand, learned APP for the respondent/State submits that the applicant is involved in serious crime of cheating and preparing fake number plates. It is submitted that considering the nature of crime, the applicant may not be released on anticipatory bail.

8. I have perused the papers of investigation. From the papers of investigation, *prima-facie* it is difficult to infer the involvement of the applicant in the crime in-question. There are no other criminal antecedents against the present applicant. Considering the overall facts and circumstances of the case, I am inclined to release the applicant on anticipatory bail. In the result, the following order is passed.

ORDER

- A) The Application is allowed.
- B) In the event of arrest of the applicant in C.R. No.786 of 2025 registered at Bhandup Police Station for the offences punishable under Sections 3(5), 340(2), 336(3), 336(2) and 318(4) of the Bharatiya Nyaya Sanhita, 2023, he be released on bail on executing P.R. Bond in the sum of Rs.25,000/- with one surety or two sureties in the like amount.

[N.R.BORKAR, J.]