

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.31 OF 2026**

1. Balasaheb Vishwanath Dahale	
2. Akshay Balasaheb Dahale	... Applicants
V/s.	
State of Maharashtra	... Respondent

Mr. Rahul Arote a/w Tanvi Mahadik a/w Nikita Gawai for the Applicants.
Mr. S. R. Agarkar, APP for the Respondent-State.
PI Prakash Howal, Dadar Railway PS is present.

CORAM : N.R. BORKAR, J.
DATE : 23RD JANUARY 2026

P.C. :

1. Mentioned out of turn.
2. This is an Application for anticipatory bail.
3. Learned Counsel for the Applicants, on instructions, seeks leave to withdraw the present Application *qua* Applicant No.1. Leave as sought is granted.
4. Applicant No.2 is apprehending his arrest in Crime No.1045 of 2025 registered with Dadar Railway Police Station for the offences punishable under Section 303(2) of the Bharatiya Nyaya Sanhita, 2023.
5. The allegations against the co-accused are of theft of gold and silver ornaments worth Rs.12,34,000/-. The allegations against the Applicant No.2 are of purchasing those stolen gold ornaments from the co-accused.

6. I have heard Learned Counsel for Applicant No.2 and Learned APP for the Respondent-State.

7. Learned Counsel for Applicant No.2 submits that Applicant No.2 has nothing to do with the alleged crime. It is submitted that the nothing is to be recovered and thus custodial interrogation of Applicant No.2 is not necessary.

8. On the other hand, Learned APP for the Respondent-State submits that Applicant No.2 is involved in four crimes of similar nature. It is submitted that Applicant No.2 is convicted in one of the crimes of similar nature. It is submitted that considering the nature of crime, Applicant No.2 may not be released on anticipatory bail.

9. I have perused the papers of investigation. The only material against the Applicant No.2 is the statement of co-accused Jafar Shaikh. Even otherwise, it appears from his statement that he sold the alleged stolen ornaments to Applicant No.1. Considering the said facts, I am inclined to release Applicant No.2 on anticipatory bail. Hence, the following order:-

ORDER

- i. Anticipatory Bail Application *qua* Applicant No.1 is disposed of as withdrawn.
- ii. Anticipatory Bail Application *qua* Applicant No.2 is allowed.
- iii. In the event of the arrest of Applicant No.2 in Crime No.1045 of 2025 registered with Dadar Railway Police Station for the offences punishable under Section 303(2) of the Bharatiya Nyaya Sanhita, 2023, he shall be released on bail on

furnishing a PR Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one or two sureties in the like amount.

iv. Applicant No.2 shall not commit any other crime.

10. The Anticipatory Bail Application is disposed of in the aforesaid terms.

(N.R. BORKAR, J.)