

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.137 OF 2026**

Tukaram Rambhau Shinde	...Applicant
<i>Versus</i>	
The State of Maharashtra	...Respondent

Mr. Prathamesh Deshpande a/w. Mr. Yash Agarwal i/b. Mr. Kishor Newale, for the Applicant.
Ms. S. M. Yadav, APP, for the Respondent-State.
Mr. Datta Shedage, PSI, attached to Kamshet Takwe Police Station, Pune Rural, Pune, present.

**CORAM: MADHAV J. JAMDAR, J.
DATED : 27th FEBRUARY 2026**

PC:-

1. Heard Mr. Deshpande, learned Counsel appearing for the Applicant and Ms. Yadav, learned APP appearing for the Respondent-State.

2. This application is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking pre-arrest bail in connection with C.R. No.67 of 2025 registered with Kamshet Takawe Police Station, Pune Rural, Pune, for the offences

punishable under Sections 3(5) and 303(2) of the Bharatiya Nyaya Sanhita, 2023 (“**the BNS**”).

3. As per the prosecution case, the accused committed theft of red soil. As far as the role of the present Applicant is concerned, dumper which was found at the site is belonging to the present Applicant.

4. It is submitted by Mr. Deshpande, learned Counsel appearing for the Applicant that the Applicant is not involved in the crime and the dumper was parked by him at some other place and it was found at the site. He submits that the punishment for the offence under Section 303(2) of the BNS is minimum one year and maximum punishment is 5 years. He further submits that the Applicant’s name is not mentioned in the FIR. He submits that there are no antecedents against the Applicant.

5. On the other hand, Ms. Yadav, learned Counsel appearing for the Respondent-State strongly opposes the Anticipatory Bail Application. She submits that the dumper has been found at the site.

6. Perusal of the record shows that the subject dumper has already been seized and it has been returned back to the Applicant. There is nothing on record to indicate that the custodial interrogation is necessary. The maximum punishment for the alleged offence is 5 years. There are no antecedents against the Applicant.

7. Accordingly, the case is made out for grant of Anticipatory Bail by imposing certain conditions. In view thereof, the following order is passed:

ORDER

- (a) In the event of arrest of the Applicant-Tukaram Rambhau Shinde in connection with C.R. No.67 of 2025 registered with the Kamshet Takawe Police Station, Pune Rural, Pune, the Applicant is directed to be released on bail on his furnishing P.R. Bond in the sum of Rs.25,000/- with one or two solvent sureties in the like amount.
- (b) The Applicant shall attend the Kamshet Takawe Police Station, Pune Rural, Pune, as and when called by the

Investigating Officer and shall co-operate with the investigation.

- (c) The Applicant shall furnish his cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.
- (d) The Applicant 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 Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.

8. The Anticipatory Bail Application is disposed of accordingly.

[MADHAV J. JAMDAR, J.]

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