

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.303 OF 2026**

Sandip Somnath Hiray

...Applicant

Versus

The State of Maharashtra

...Respondent

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Mr. Rajaram Gite a/w. Ms. Siddhi Dawne, for the Applicant.
Ms. R. V. Newton, APP, for the Respondent-State.

**CORAM: MADHAV J. JAMDAR, J.
DATED : 3rd FEBRUARY 2026**

PC:-

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

2. This application is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking pre-arrest bail in connection with C.R. No.27 of 2025 registered with Malegaon Chawani Police Station, Nashik Rural, Nashik, for the offences punishable under Sections 506, 504, 420, 323 read with 34 of the Indian Penal Code, 1860.

3. As per the prosecution case, the subject property has been sold by a registered sale-deed dated 19th July 2022 for a total consideration of Rs.2,41,00,000/-. However, only an amount of Rs.27,00,000/- has been paid by RTGS and it was represented that the balance amount would be paid after registration of the saledeed and thereafter all Accused ran away.

4. It is the submission of Mr. Gite, learned Counsel for the Applicant that the First Informant has purchased the suit property by a registered sale-deed dated 4th October 2021 for an amount of Rs.23,05,000/- and thereafter the same has been sold to the Accused No.1 for an amount of Rs.27,00,000/-. He submits that the said entire payment has been made. He submits that, in any case, the incident has taken place on 19th July 2022 and the FIR has been lodged on 18th January 2025. He submits that the Charge-sheet is filed against some Accused and, therefore, investigation is substantially completed. He submits that although there is one antecedent, the same is of they year 2022 and the Applicant has been granted pre-arrest bail in the said crime.

5. Ms. Newton, learned APP strongly opposes the Anticipatory Bail Application. She submits that the offence is very serious and, therefore, custodial interrogation is necessary. She submits that investigation is transferred to the EOW. She submits that the Charge-sheet is almost ready and the same can be filed shortly. She submits that as far as the Accused No.4, there is one antecedent and the same modus operandi is involved in the said crimes.

6. Perusal of the record shows that the Applicant-Accused No.1 purchased the subject property on 19th July 2022 by a registered a sale-deed. The said registered sale-deed mentions consideration is at Rs.27,00,000/-. Undisputedly, the said amount of Rs.27,00,000/- has been paid to the First Informant. The FIR has been lodged on 18th January 2025 i.e. after a delay of about 2 years and 6 months. The Applicant's role is that he was present when the alleged incident took place. The accused No.1 who is the main accused has already been granted pre-arrest bail by this Court by order dated 23rd January 2026 passed in Anticipatory Bail Application No.443 of 2025.

7. Accordingly, the case is made out for grant of Anticipatory Bail. For the above reasons, the Anticipatory Bail Application is allowed by passing the following order is passed:

ORDER

- (a) In the event of arrest of the Applicant-Sandip Somnath Hiray in connection with C.R. No.27 of 2025 registered with the Malegaon Chawani Police Station, Nashik Rural, Nashik, the Applicant is directed to be released on bail on his furnishing P.R. Bond in the sum of Rs.50,000/- with one or two solvent sureties in the like amount.
- (b) The Applicant shall attend the Malegaon Chawani Police Station, Nashik Rural, Nashik, once in 15 days i.e. on first and third Sunday of every month between 11:00 a.m. to 02:00 p.m., till framing of the charge 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.
- (f) The Applicant shall not leave India without prior permission of the learned Trial Court/concerned Sessions Court.

8. The Anticipatory Bail Application is disposed of accordingly.

[MADHAV J. JAMDAR, J.]