

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.625 OF 2026

Kabirdas @ Vishwas Dnyandev More & Anr. ... Applicants

Vs.

The State of Maharashtra ... Respondent

Mr. Rajendra Shirodkar, Senior Advocate a/w Archit Sakhalkar for the Applicants.

Mr. B. V. Holambe Patil, APP for the Respondent-State.

Mr. Sudeep Pasbola, Senior Advocate a/w Tanqeer Siddiquee a/w Pranoti Pawar a/w Mayur Vakil a/w Bhumi R. for the first informant.

PI Mahendra Suryvanshi, IO, PSI Sunil Sonawane, Pairavi, Charkop PS are present.

CORAM : N.R. BORKAR, J.

DATE : 10TH MARCH 2026

P.C. :

1. This is an Application for anticipatory bail.

2. The Applicants are apprehending their arrest in Crime No.60 of 2026 registered with Charkop Police Station for the offences punishable under Sections 308(2), 333, 324(4), 115(2), 352, 351(3), 303(2), 61(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023 read with Section 37(3) of Maharashtra Police Act, 1951.

3. It is the case of the prosecution that on the date of incident, which took place on 13th February 2026, the present Applicants and other co-accused formed an unlawful assembly and trespassed into the construction related manufacturing site of Jaiswal Construction situated at Charkop, Kandivali, Mumbai. It is alleged that the present Applicants and other co-

accused assaulted the workers, who were working there, for non-payment of extortion money by the owner of said manufacturing unit. It is further alleged that they caused damage to the CCTV cameras and other articles.

4. I have heard Learned Senior Counsel for the Applicants, Learned APP for the Respondent-State and Learned Senior Counsel for Respondent No.2.

5. Learned Senior Counsel for the Applicants submits that as the Applicants and other local residents made the complaint against Jaiswal Construction for encroaching upon MHADA land and running the said manufacturing unit, false allegations are made against the Applicants. In support of the said submission, Learned Senior Counsel for the Applicants has drawn my attention to the various documents placed on record. It is submitted that nothing is to be recovered at the instance of the present Applicants and therefore there is no need of his custodial interrogation. It is further submitted that there are no other criminal antecedents against the present Applicants.

6. On the other hand, Learned APP for the Respondent-State and Learned Senior Counsel for Respondent No.2 submit that the Applicants are involved in serious crime of extortion. It is submitted that the present Applicants and the other co-accused assaulted the security guard and the engineer for extortion of money. It is submitted that considering the nature of crime, the custodial interrogation of the Applicants is necessary.

7. I have perused the documents placed on record. It appears from the documents that the complaints were made in respect of the said

manufacturing unit to the various authorities. There is a letter of MHADA which shows that no permission was granted to the Jaiswal Construction for running the said manufacturing unit. The allegations of snatching of gold chain are made after 14 days of lodging of the FIR. There are no other criminal antecedents against the present Applicants. Considering the overall facts and circumstances, I am inclined to release the Applicants on anticipatory bail. Hence, the following order:-

ORDER

- i. The Anticipatory Bail Application is allowed.
 - ii. In the event of the arrest of the Applicants in Crime No.60 of 2026 registered with Charkop Police Station for the offences punishable under Sections 308(2), 333, 324(4), 115(2), 352, 351(3), 303(2), 61(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023 read with Section 37(3) of Maharashtra Police Act, 1951, they shall be released on bail on furnishing a PR Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) each with one or two sureties in the like amount.
 - iii. The Applicants shall not visit the manufacturing site in question.
 - iv. The Applicants shall not commit any other crime.
 - v. Liberty is granted to the prosecution to file an application for cancellation of anticipatory bail in case the Applicants commit breach of any of the above conditions.
8. The Anticipatory Bail Application is disposed of in the aforesaid terms.

(N.R. BORKAR, J.)