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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.744 OF 2026**

Vishnu Hanumanta Kamble ... Applicant
vs.
he State of Maharashtra ... Respondent

Mr. Vishal Shukla with Anurag Mishra for the Applicant.
Mr. Y. M. Nakhwa, APP for Respondent-State.
Mr. Amarsinh Deshmukh, PSI, Sahar police station present.

CORAM : SHYAM C. CHANDAK, J.

DATE : 9th APRIL, 2026

P. C.:

- 1) The Applicant is apprehending arrest in an FIR No.115 of 2026 registered with Sahar police station for the offence under Sections 305, 324(2) and 3(5) of the Bharatiya Nyay Sanhita, 2023 and therefore seeking for pre-arrest bail.
- 2) Heard learned Counsel for the Applicant and learned APP for the Respondent-State.
- 3) The prosecution case is that in the intervening night of 9th and 10th February, 2026, at about 01.55 hours, the Applicant in furtherance of the common intention with co-accused Varun Jamadar committed theft of 10 to 12 liquor bottles and damaged about 8 liquor bottle by entering in 'Dragon fly' club situated at Andheri (East), Mumbai.
- 4) Mr. Shukla, learned Counsel for the Applicant states that neither brand name of the liquor bottles nor its market price is mentioned in the FIR. Some bottles have been recovered from the co-accused, who

was arrested on the next day, of the registration of the crime. The Applicant is ready to attend before the Investigating Officer and cooperate for the purpose of investigation. The Applicant has no criminal antecedents. Therefore, anticipatory bail may be granted.

5) Mr. Nakhwa, the learned APP opposed the Application on the premise that custodial interrogation of the Applicant is necessary for recovery of the stolen liquor bottles.

6) It is a fact that the brand name of the liquor bottles is not mentioned in the FIR. Therefore, even if the Applicant is subjected to custodial interrogation for recovery of the stolen liquor bottles, it will be question of trial, as to whether the recovered liquor bottles were stolen by the Applicant or not. As such, the attendance of the Applicant before the Investigating Officer for the purpose of interrogation is sufficient.

7) The Applicant is not likely to abscond and tamper with the prosecution evidence. The Applicant has no criminal antecedents.

In view of the aforesaid, the Applicant is entitled for grant of anticipatory bail. Hence, following Order is passed :

ORDER

- (a) In the event of the arrest of the Applicant – Vishnu Hanumanta Kamble in connection with FIR No.115 of 2026 registered with Sahar police station for offence under Sections 324(2), 305 and 3(5) the Bharatiya Nyay Sanhita, 2023, he shall be forthwith released on bail, on his furnishing P.R. bond

in the sum of Rs.50,000/- with one or two sureties in the like amount.

- (b) The Applicant shall attend before the Investigating Officer on 10th April, 2026 between 11.00 am to 4.00 pm and thereafter as and when required by the Investigating Officer.
 - (c) The Applicant shall regularly attend before the trial Court.
 - (d) The Applicant shall not tamper with the prosecution evidence and shall not threaten the prosecution witnesses.
 - (e) The Applicant shall furnish his address and contact details to the concerned Police Station and the trial Court and a change therein, if any.
- 8) Application stands disposed of.

(SHYAM C. CHANDAK, J.)