

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

Anticipatory Bail Application No.861 of 2026

Raghu Rajan Johnson

Age: 40 years, Occu: Waiter,

Having address at: Room No.302,

Mahalaxmi Apartment, Third Floor,

Godhdev Gao, Vitthal Mandir Gali,

Bhayandar East, Thane: 401105

... Applicant

Versus

The State of Maharashtra

(Through Senior Inspector of Police

Kashimira Police Station,

Mira-Bhayander, Vasai-Virar Police

Commissionerate, Mira Bhayandar,

Thane - 401107

... Respondent

Mr ST Pandey, a/w Ms Kajal Upadhyay, Mr Imran, Mr Deepak Singh and Ms Deepika Jaiswal, i/b. ST Pandey, for the applicant.

Mr Mayur Sonavane, APP, for the respondent/ State.

PSI Rajesh Kini, Kashimira Police Station.

Coram: R.N. Laddha, J.

Date: 6 April 2026.

P.C.:

By this application, the applicant seeks pre-arrest bail in connection with CR No.389 of 2025, registered at Kashimira Police Station, Thane, for the offences punishable under

Sections 110, 296, 54 and 49 read with 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. The prosecution's case is that on 3 September 2025, at approximately 23:50 hours, acting upon confidential information, a raid on Tarzan Orchestra Bar was conducted. During the course of the raid, it was allegedly discovered that the manager and cashier present at the bar, acting at the behest of the owners and operators for monetary gain, induced and encouraged the female singers employed therein to wear short and tight-fitting attire. It is further alleged that these women were made to keep parts of their bodies exposed and were compelled to descend from the designated stage area in order to perform obscene gestures so as to attract customers.

3. The prosecution further alleges that the manager, cashier, steward, and waiter, acting in concert with the owners and operators of the establishment, conspired to construct and employ a concealed enclosure lacking proper ventilation, potable water, and illumination, with intent to sequestering female vocal performers engaged at the premises. It is further alleged that, notwithstanding their knowledge that such confinement could imperil human life, the accused wrongfully detained five women within the said enclosure. The prosecution alleges that the present applicant was functioning

in the capacity of Manager of the establishment at the material time.

4. Mr ST Pandey, learned Counsel appearing on behalf of the applicant, asserting the applicant's innocence, contends that the applicant has been falsely implicated in the present crime. It is submitted that the applicant was merely employed as a waiter and did not exercise managerial authority or decision-making power in the affairs of the establishment. The execution of the leave and license agreement in the applicant's name, it is argued, was effected solely at the behest and under the instructions of the actual management. The learned Counsel further submits that the applicant was in his native place at the locus of the alleged incident, having become aware of the registration of the FIR only upon his return to Mumbai to resume employment. It is submitted that co-accused persons, attributed with more substantive and grave roles in the alleged offence, have already been enlarged on bail. The learned Counsel also points out that no recovery or discovery remains to be effected from the applicant, rendering custodial interrogation unnecessary. The applicant is ready to abide by the conditions this Court may deem fit to impose.

5. On the other hand, Mr Mayur Sonavane, learned Additional Public Prosecutor representing the respondent/

State, opposes the applicant's request for bail. It is submitted that the offence alleged is of a grave and serious nature. The applicant is stated to have executed the leave-and-license agreement in respect of the establishment. The investigation is ongoing, and it is apprehended that grant of pre-arrest bail may enable the applicant to tamper with evidence or influence witnesses. However, the learned APP fairly acknowledges that the investigation has reached completion and that a charge sheet is to be filed in due course.

6. This Court has given anxious consideration to the rival contentions and perused the records.

7. From a perusal of the records, it appears that the present applicant was not named in the FIR. It is further revealed that, at the initial stage, the prosecution proceeded on an assumption that the applicant was functioning as a manager of the concerned establishment. However, during the course of remand proceedings before the learned Magistrate, the prosecution altered its stand and submitted that one Siddharth was, in fact, the manager of the said establishment, who has since been enlarged on bail. The prosecution has also attributed ownership of the establishment to one Raman. In this backdrop, save and except a bald and unsubstantiated assertion, there is no material on record to *prima facie*

demonstrate the involvement or complicity of present applicant in the alleged offence. The allegations levelled against applicant are conspicuously vague and bereft of the requisite particulars necessary to establish a direct nexus with the crime in question. It is also pertinent to note that the co-accused, against whom comparatively graver and more specific allegations have been levelled, have already been granted bail. Additionally, the investigation appears to have reached its culmination, and nothing further remains to be recovered or discovered at the instance of the applicant. The prosecution has indicated that the charge sheet is likely to be filed shortly, obviating the necessity of custodial interrogation of the applicant at this stage.

8. In view of the aforesaid circumstances, and having regard to the totality of the material on record, this Court is inclined to grant pre-arrest bail to the applicant. Hence, the following order:

ORDER

(i) In the event of the applicant's arrest in CR No.389 of 2025, registered at Kashimira Police Station, Thane, he shall be released on bail upon executing a PR Bond of Rs.25,000/- and furnishing one or

more sureties in the like amount.

(ii) The applicant shall attend the concerned police station as and when required till the filing of the charge sheet.

(iii) The applicant, himself or through any other person, shall not tamper with the evidence or influence witnesses.

9. The application stands disposed of accordingly.

10. It is clarified that the observations set out herein are of a *prima facie* nature and are made solely for the purpose of deciding the present application.

[R.N. Laddha, J.]