

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1026 OF 2026

Bidyut Kiumar Mohanty : Applicant.
Versus
The State of Maharashtra : Respondent

Mr. Prasanna Shahane a/w Mr. Dattatraya Devkar for the Applicant.

Ms. Anagha Deshmukh, APP for the Respondent/State.

PSI Rajendra Pansare, Bhosari MIDC Police Station present.

CORAM : ASHWIN D. BHOBE, J.

DATED : 07 MAY 2026

PC:-

1. Heard Mr. Prasanna Shahane, learned Advocate for the Applicant and Ms. Anagha Deshmukh, learned APP for the Respondent/State.

2. By the present Application, the Applicant seeks pre-arrest bail in FIR bearing No. 0046 of 2026, dated 27th January 2026, registered with Bhosari MIDC Police Station, Pune ("FIR"), for offences punishable under Sections 305, 49, and 3(5) of the Bharatiya Nyaya Sanhita. There are 4 Accused in the said crime Applicant is Accused No. 1

3. The case of the prosecution is that materials (an Dell laptop, HP laptop and three packets of plastic colour) were stolen from the premises of the entity known as “Aurora Polycolors”, a partnership firm in which the Applicant and the first Informant (Swapnil Ramesh Morey), are partners along with two others. The FIR alleges that the said material was taken out of the premises of the said Firm by Amrut Kumar Panda (Accused No.2), Santosh Kumar Sahu (Accused No.3) and Prashant Devraj Swain (Accused No.4). The FIR further alleges that the said material was taken out of the premises on the instructions of the Applicant .

4. Mr. Prasanna Shahane, learned Advocate for the Applicant, submits that the first Informant has filed a false and frivolous complaint against the Applicant and the employees of the partnership firm on account of a dispute between two partners (i.e., the first Informant and the Applicant). He submits that there is neither any theft nor any material was stolen from the premises of the Firm. He submits that the materials forming the subject matter of the FIR were shifted by the employees of the Firm at the instance of the Applicant. He submits that there is no occasion to allege any theft, as CCTV cameras are installed on the premises.

5. Mr. Prasanna Shahane, learned Advocate for the Applicant, submits that Accused No. 2 has been released on bail by the Judicial Magistrate, Pimpri Chinchwad, whereas Accused Nos. 3 and 4 have been released on bail by this Court

in Anticipatory Bail Application Nos. 1030 of 2026 and 1134 of 2026, respectively.

6. Ms. Anagha Deshmukh, learned APP for the Respondent-State, submits that the FIR indicates a dispute between two partners of the firm “Aurora Polycolors”. She, on instructions from the Investigating Officer, states that the materials alleged to have been stolen have been seized by the Investigating Officer.

7. Ms. Anagha Deshmukh, learned APP in all fairness, relies on the decision of the Hon’ble Supreme Court in the case of *Velji Raghavji Patel Vs. The State of Maharashtra*¹ to submit that a partner of a firm has full dominion over the partnership assets.

8. Ms. Anagha Deshmukh, learned APP, again on instructions from the Investigating Officer, submits that custodial interrogation of the Applicant in this case is not required.

9. In light of the above facts and the statements made by Ms. Anagha Deshmukh, learned APP, that the custody of the Applicant is not required, this Anticipatory Bail Application is allowed on the following terms.

- (a) In the event of arrest of the Applicant in FIR No.0046 dated 27 January 2026 registered with Bhosari MIDC Police Station, Pune, the Applicant shall be released

¹ Manu/SC/00911964

on bail on furnishing a PR bond in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand only) with one or two local sureties in the like amount.

- (b) Applicant shall report to the Investigation Officer, Bhosari MIDC Police Station, Pune on the 4th Saturday of every month from 11.00 am and 12.00 noon commencing from the month of May 2026. In the event the Applicant is required on any other day, by the Investigating Officer, the Applicant shall ensure his presence before the Investigating Officer.
- (c) Applicant shall not directly or indirectly make any inducement, threat or promise to any person/s acquainted with the facts of the case to dissuade such person/s from disclosing the facts to the Court or any police officer.
- (d) Applicant shall not tamper with evidence in any manner.
- (e) Applicant shall provide the Investigation Officer with his residential address along with proof, his contact number, email and must inform the Investigating Officer of any changes to this information from time to time.
- (f) Applicant shall cooperate with the Investigating Officer in the process of investigation of the present Crime.

10. Anticipatory Bail Application No.1026 of 2026 is disposed of.

(ASHWIN D. BHOBE, J.)