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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1030 OF 2026

Santosh Kumar Sahu ... Applicant

Versus.

The State of Maharashtra ... Respondent

(Sr. No. 21) ANTICIPATORY BAIL APPLICATION NO. 1134 OF 2026

Prasanta Kumar Swain ... Applicant

Versus.

The State of Maharashtra ... Respondent

Mr. Prasanna Kishor Shahane, Advocate for Applicant in both ABA.
Mr. Sukanta Karmakar, APP for Respondent – State in ABA No.
1030 of 2026.

Ms. Anagha Deshmukh, APP for Respondent – State in ABA No.
1134 of 2026.

Mr. Rajendra Pansare – PI, Bhosari M.I.D.C. Police Station, Pune.

CORAM : ASHWIN D. BHOBE, J.

DATE : 6th MAY, 2026

P.C. :

1. Mr. Prasanna Kishor Shahane, learned Advocate for the
Applicant, submits that the subject matter of Anticipatory Bail
Application No. 1030 of 2026 and Anticipatory Bail Application

No. 1134 of 2026 pertains to FIR bearing No. 0046 of 2026 registered with the Bhosari M.I.D.C. Police Station, Pune (“FIR”), for offences punishable under Sections 305, 49 and 3(5) of the Bharatiya Nyaya Sanhita, 2023. He submits that the Applicants in these Applications namely Santosh Kumar Sahu is Accused No. 3 and Prasanta Kumar Swain is Accused No. 4 in the FIR. He therefore requests that both these Applications be taken up together.

2. Mr. Sukanta Karmakar, learned APP for the State, appearing in Anticipatory Bail Application No. 1030 of 2026, and Ms. Anagha Deshmukh, learned APP appearing in Anticipatory Bail Application No. 1134 of 2026, submit that both these Applications can be taken up together.

3. The case of the prosecution is that material was stolen from the premises of the entity known as “Arora Polycolors”, located in Moshi, Pune. Santosh Kumar Sahu (Accused No. 3) and Prasanta Kumar Swain (Accused No. 4) are alleged to have participated in the theft of Dell and HP laptops belonging to Arora Polycolors, valued at Rs. 73,400/-.

4. Mr. Prasanna Kishor Shahane, learned Advocate for the Applicant, submits that Amrutkumar Kunjbihari Panda (Accused No. 2) in the FIR has been released on bail by the Court of the Judicial Magistrate, First Class, Pimpri-Chinchwad, Pune, by order dated 31st January, 2026 (order at pages 43 to 44 of the paper book). He further submits that this bail Application be considered on the ground of parity.

5. Mr. Sukanta Karmakar, learned APP for the State, in Anticipatory Bail Application No. 1030 of 2026 and Ms. Anagha Deshmukh, learned APP appearing in Anticipatory Bail Application No. 1134 of 2026, submit that the allegations against the Applicants herein are similar to those against Accused No. 2 (Amrutkumar Kunjbihari Panda). They further submit that the Investigation Officer has seized the Muddemal involved in the present crime.

6. A perusal of the impugned FIR reveals that Accused No. 2 (Amrutkumar Kunjbihari Panda) is seen in the CCTV footage while removing the material. FIR makes a reference to Accused No. 2 having stated that the material was being shifted on the

instructions of Bidyut Kumar Mohanty, who is one of the partners of Arora Polycolors. Applicants (Accused No. 3 and Accused No. 4) have been made accused in the FIR based on the statement of Accused No. 2. The FIR records Accused No. 2 as having stated that Applicants (Accused No. 3 and Accused No. 4) assisted him in removing the material. Apparently, the Applicants are not seen in the CCTV footage. The muddemal is seized. Investigation in the crime is said to have been completed..

7. In light of the facts stated above and considering that the roles assigned to Accused No. 3 and Accused No. 4 in the FIR, custodial interrogation of the Applicants is not required in this case.

8. Accused No. 2 is released on bail. The principle of parity would also apply.

9. Anticipatory Bail Application Nos. 1030 of 2026 and Anticipatory Bail Application Nos. 1134 of 2026 are allowed on the following terms :-

(a) In the event of the arrest of the Applicants in FIR No. 0046 of 2026, dated 27th January, 2026, registered with Bhosari MIDC Police Station, Pune, each Applicant shall be released on bail upon furnishing an independent PR bond in the sum of Rs. 25,000/- (Rupees Twenty-Five Thousand only) with one or two local sureties, each in the like amount.

(b) Applicants shall report to the Investigating Officer, Bhosari MIDC Police Station, Pune, on the 4th Saturday of each month from 11.00 am to 12.00 pm, commencing from the month of May 2026. In the event the Applicant is required on any other day, by the Investigating Officer, the Applicants shall ensure their presence before the Investigating Officer.

(c) Applicants 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) Applicants shall not tamper with evidence in any manner.

(e) Applicants shall provide the Investigating Officer with their residential address along with proof, their contact number, email and must inform the Investigating Officer of any changes to this information from time to time.

(f) Applicants shall cooperate with the Investigating Officer in the process of investigation of the present crime.

10. Anticipatory Bail Application No. 1030 of 2026 and Anticipatory Bail Application No. 1134 of 2026 are allowed.

(ASHWIN D. BHOBE, J.)