

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1133 OF 2026**

Somnath Karbhari Sanap ... Applicant

Versus.

The State Of Maharashtra ... Respondent

Mr. Aniket Vagal a/w Judi Kadu and Ms. Savvy Kolhekar, for the Applicant.

Mr. Siddharth Ghodke, for the First Informant.

Mrs. Rajeshree Newton, APP for the Respondent – State.

API Sonal Phadol, Niphad Police Station, is present.

CORAM : ASHWIN D. BHOBE, J.

DATE : 29th April, 2026.

P.C. :

1. Heard, Mr. Aniket Vagal, learned Advocate for the Applicant and Mrs. Rajeshree Newton, learned APP for the Respondent – State.

2. Mr. Siddharth Ghodke, learned Advocate, appears and states that he has instructions from the Informant/Complainant, at whose instance the FIR is lodged, to appear in the matter. He further states that although the Informant/Complainant had participated in Criminal Bail Application No. 87 of 2026, filed by

the Applicant before the Sessions Court, the Applicant has conveniently not joined the Informant/Complainant as a party Respondent in the present proceedings.

3. Mr. Aniket Vagal, learned Advocate for the Applicant, in all fairness, states that he has no objection to affording an audience to the Informant/Complainant in the matter.

4. The Applicant is before this Court seeking pre-arrest bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, apprehending arrest in Crime No. 71 of 226 (*"FIR"*), registered with Niphad Police Station, for offences punishable under Sections 324(4), 351(2), 352, 115 and 309(4) of the Bharatiya Nyaya Sanhita, 2023.

5. The prosecution's case is that the Applicant is a habitual offender. That on 24.03.2026, at 2:00 pm, when the Informant/Complainant was proceeding towards Laxmi Bigarsheti Sahkari Sanstha, Niphad, on his motorcycle, upon reaching near Ganesh Radium Art at Shivaji Chowk, Niphad, the Applicant approached the motorcycle and threatened to harm and kill the

son of the Informant/Complainant, if the amount demanded by him was not paid. Thereafter, the Applicant snatched a gold ring weighing 5 grams from the finger of the Informant/Complainant and assaulted him with fists and blows. The mobile of the Informant/Complainant was snatched and banged on the road. The motorcycle keys were snatched from the Informant/Complainant.

6. Mr. Aniket Vagal learned Advocate for the Applicant, submits that, apart from Section 309(4) of the Bharatiya Nyaya Sanhita, 2023, all other Sections are bailable. He submits that the offence is alleged to have occurred on 24.04.2026 at 2:00 pm, whereas the complaint was filed at 7:00 pm., i.e. with an unexplained delay of 5 hours. He submits that the Applicant is ready to co-operate with the investigation. He submits that for the purpose of recovery of the ring, the custody or interrogation of the Applicant is not required.

7. Mrs. Rajeshree Newton, learned APP for the Respondent – State, submits that the Applicant is dangerous and is a habitual offender having several criminal antecedents in respect of serious

offences. She submits that the incident happened near the Niphad Police Station. She submits that the records of the Investigation Officer indicate that the Applicant poses a terror threat in the locality. She submits that the Applicant's custody is necessary for investigation. She submits that there is more than sufficient material indicating involvement of the Applicant in the crime, which is of a serious nature and therefore entertaining this Application will send a wrong message in society.

8. Mr Siddharth Ghodke learned Advocate for the Informant / Complainant, reiterates the allegations he made in his complaint against the Applicant. He submits that the Applicant is a dangerous person with a criminal background. He submits that the presence of the Applicant in the vicinity instils fear in his mind and his family. He submits that the Applicant will execute the threat issued by him of causing harm to the son of the Informant / Complainant.

9. Records of this Application indicate that the Applicant has the following antecedents:

<u>Sr. No.</u>	<u>Police Station</u>	<u>C. R. No.</u>	<u>Offence registered under Section</u>
1)	Niphad	33/2017	384, 324, 323, 427, 504, 506, 34 IPC
2)	Niphad	57/2019	325, 323, 504, 506 IPC
3)	Niphad	680/2020	420, 465, 468 IPC
4)	Saykheda	242/2020	324, 323, 452, 427, 504, 506, 188 IPC
5)	Saykheda	962/2021	452, 324, 323, 427, 504, 506 IPC
6)	Sinnar MIDC	41/2022	326, 325, 323, 504, 34 IPC
7)	Adgaon	206/2022	395, 397, 364(A), 324 IPC
8)	Sarkarwada	46/2024	420, 406 IPC
9)	Mhasrul	53/2018	3/25 Arms Act
10)	Panchavati	45/2021	142 of Maharashtra Police Act
11)	Gangapur	83/2021	142 of Maharashtra Police Act

10. The Applicant does not dispute the criminal antecedents he faces, as evident from paragraph No. 5 of this Application. The criminal antecedents in the case at hand, bear on the exercise of discretion.

11. Considering the nature and gravity of the allegations, the tendency of the Applicant to commit the offence as alleged at a place within a few meters of the Niphad Police Station and the

criminal antecedents, the Applicant is not entitled to indulgence.

12. It is a trite law that anticipatory bail is an exceptional remedy and ought not to be granted in a routine manner.

13. In view of the above, the Anticipatory Bail Application No. 1133 of 2026 is dismissed.

(ASHWIN D. BHOBE, J.)

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