



IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO(S)._____ OF 2026
(@ SPECIAL LEAVE PETITION(S) (CRL.) NO(S).6995/2025)

NABENDU ASHUTOSH BHATTACHARYA

APPELLANT(S)

VERSUS

THE STATE OF MAHARASHTRA & ANR.

RESPONDENT(S)

O R D E R

Leave granted.

This appeal challenges the order dated 29.04.2025 passed by the High Court of Judicature at Bombay in Anticipatory Bail Application No.736 of 2025.

Apprehending arrest in connection with Crime No.112/2025 dated 05.02.2025 registered at Police Station - Samta Nagar, District - Brihanmumbai City for the offences punishable under Sections 75(1), 75(2), 75(3), 75(4), 78, 79, 111, 356, 351(2), 351(3) of the Bharatiya Nyaya Sanhita, 2023, the appellant preferred an application before the High Court seeking anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ("BNSS" for short).

Said application for anticipatory bail has been rejected by the High Court *vide* the impugned order dated 29.04.2025. Hence, the instant appeal has been

preferred.

By order dated 07.05.2025, this Court passed the following order:

"Issue notice to the respondents, returnable on 16.07.2025.

Learned counsel for the petitioner is permitted to serve the standing counsel for respondent No.1/State.

Till the next date of hearing, no coercive steps shall be taken as against the petitioner herein vis-a-vis FIR No.112/2025 dated 05.02.2025 registered at Police Station Samta Nagar, District-Brihanmumbai City, provided the petitioner co-operates in the investigation."

Heard learned senior counsel appearing for the appellant in support of the appeal; learned counsel appearing for the first respondent-State and learned counsel appearing for the second respondent and perused the material on record.

Learned senior counsel for the appellant submitted that during the pendency of this appeal, the appellant has cooperated with the investigation and hence, the interim order may be made absolute by setting aside the impugned order and granting the relief of anticipatory bail to the appellant herein subject to the terms and conditions to be imposed by this Court.

Learned counsel appearing for the first respondent-State also submitted that the investigation

has been completed, but the charge sheet is yet to be filed. He however submitted with reference to the counter-affidavit that having regard to the conduct of the appellant this Court may not grant the relief of anticipatory bail.

A similar contention was raised by the learned counsel for the second respondent to the effect that despite there being conclusion of the investigation, custodial interrogation is required in the matter and hence, the appeal may be dismissed. Learned counsel for the second respondent also submitted that the appellant also has prior criminal antecedents and therefore this is not a fit case for grant of relief of anticipatory bail.

Considering the circumstances on record, in our view, the appellant is entitled to the relief claimed under Section 482 BNSS.

We, therefore, allow this appeal and set-aside the order passed by the High Court. We direct that in the event of arrest of the appellant, the Arresting Officer shall release the appellant on bail, subject to furnishing cash security for a sum of Rs.25,000/- (Rupees Twenty-Five Thousand only) with two like sureties.

It is directed that the appellant shall extend

complete cooperation in the ensuing trial. The appellant shall not misuse his liberty and shall not in any way influence the witnesses or tamper with the material on record.

Any infraction of the conditions shall entail cancellation of anticipatory bail granted to the appellant.

With the aforesaid directions, the criminal appeal is allowed.

....., J
(B.V. NAGARATHNA)

....., J
(UJJAL BHUYAN)

NEW DELHI
JANUARY 12, 2026

ITEM NO.22

COURT NO.4

SECTION II-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

PETITION(S) FOR SPECIAL LEAVE TO APPEAL (CRL.) NO(S).6995/2025

[ARISING OUT OF IMPUGNED FINAL JUDGMENT AND ORDER DATED 29-04-2025 IN ABA NO. 736/2025 PASSED BY THE HIGH COURT OF JUDICATURE AT BOMBAY]

NABENDU ASHUTOSH BHATTACHARYA

PETITIONER(S)

VERSUS

THE STATE OF MAHARASHTRA & ANR.

RESPONDENT(S)

IA NO. 117016/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA NO. 117015/2025 - EXEMPTION FROM FILING O.T.

Date : 12-01-2026 This matter was called on for hearing today.

CORAM : HON'BLE MRS. JUSTICE B.V. NAGARATHNA
HON'BLE MR. JUSTICE UJJAL BHUYAN

For Petitioner(s) : Mr. Prakash D. Naik, Sr. Adv.
Mr. Siddharth S. Chapalgaonkar, Adv.
Mr. Harshman Chavan, Adv.
Ms. Sneha Sanjay Botwe, AOR

For Respondent(s) : Mr. Bharat Bagla, Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR
Mr. Shrirang B. Varma, Adv.

Mr. Kunal J Motwani, Adv.
Mr. Ashwin Duggal, Adv.
Ms. Sanchita Ain, AOR

UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

Appeal is allowed in terms of the signed order,

which is placed on file.

Pending application(s), if any, shall stand
disposed of.

(B. LAKSHMI MANIKYA VALLI)
COURT MASTER (SH)

(DIVYA BABBAR)
COURT MASTER (NSH)