



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**921 ANTICIPATORY BAIL APPLN NO. 35 OF 2025**

1] RAISA KALIM SHAIKH  
2] KAMRUBI YUSUF SHAIKH  
VERSUS  
THE STATE OF MAHARASHTRA

...  
Advocate for Applicant : Mr.S.G.Kawade h/f. Mr.G.G.Gabhud  
APP for Respondent-State : Mr.N.B.Patil  
Advocate for Assist to P.P. : Mr.Sohail Subhedar Shaikh

...  
**WITH**  
CRIMINAL APPLICATION NO.299 OF 2025 IN ABA  
NO.35/2025

...  
**CORAM : ARUN R. PEDNEKER, J.**  
**DATE : 21.01.2025**

**P.C. :**

1] Heard. For the reasons stated in Criminal Application No.299/2025 for assisting to the P.P., the same is allowed. Criminal Application is disposed of accordingly.

2] Heard learned counsel for the applicants in ABA No.35/2025, the learned counsel for assisting to P.P. and the learned APP for the respondent-State.

3] The applicants are apprehending arrest in connection with Crime No. 0505/2024, dated 23.12.2024, registered at Pachod Police Station, Taluka Paithan, District

Chh.Sambhajanagar, for the offences punishable under sections 109, 118 (2), 118 (1), 115 (2), 352, 351 (3), 3 (5) of B.N.S.

4] It is alleged in the FIR that four persons have assaulted Shoukat Karim Shaikh by means of axe, iron rod and spade. As far as the present applicants, who are Ladies, are concerned, the allegations are that the applicant no.1 assaulted by spade on the body whereas the applicant no.2 assaulted by fist and blows.

5] The learned APP submits that there are three injuries and out of three, two injuries are grievous in nature and one is simple in nature and all injuries on the head.

6] In view of above, as far as present applicants are concerned, it is alleged that the applicant no.1 assaulted by spade on the body whereas the applicant no.2 assaulted by fist and blows. However, there is no injury on the body of the injured [except head, which is attributed to other accused]. Considering that this is a fight over the boundary dispute between family members and that the grievous injury caused to the injured is not at the instance of the applicants and that the possibility of over implication cannot be ruled out, the application is allowed in the following terms :

i] In the event the applicants are arrested in connection with Crime No. 0505/2024, dated 23.12.2024, registered at Pachod Police Station, Taluka Paithan, District Chh.Sambhajinagar, for the offences punishable under sections 109, 118 (2), 118 (1), 115 (2), 352, 351 (3), 3 (5) of B.N.S., they shall be released on bail on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

ii] The applicants shall attend the concerned police station as and when called by the investigating officer.

iii] The applicants shall not tamper with the evidence of the prosecution in any manner. They shall not influence the informant, witnesses and other persons concerned with the case.

iv] The applicants shall co-operate with the investigation and also in the proceedings before the trial Court.

6] In the event, the applicants violate any of the conditions specified in this order, it shall be liable to be cancelled.

7]           It is also clarified that the observations made in this order are limited to the disposal of the present anticipatory bail application and the trial Court shall proceed further in the matter without being influenced by the observations made hereinabove.

8]           The application stands disposed of.

**[ARUN R. PEDNEKER]**  
**JUDGE**

DDC