



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 280 OF 2025

Danish Baig Said Baig Mirza
Age: 23 years, Occu: Labour,
R/o. Muzavar Mohalla, Nandurbar,
Tq. & Dist. Nandurbar.

... Applicant

Versus

The State of Maharashtra
Through the Police Inspector,
Nandurbar City Police Station,
Tq. & Dist. Nandurbar.

... Respondent

**WITH
BAIL APPLICATION NO. 281 OF 2025**

1. Danish @ Sembhay Javed Khan Pathan
Age : 19 years, Occ: Labour,
R/o. I. B. R. Park, Razzak Park,
Nandurbar, Tq. & Dist. Nandurbar.

2. Hanif Mohammad Sher Mohammad Bisti
Age : 35 years, Occu: Labour,
R/o. Near Bilal Masjid, Nandurbar
Tq. & Dist. Nandurbar.

3. Tausif Baig Nasir Baig Mirza
Age : 28 years, Occu: Labour,
R/o. Muzavar Mohalla, Nandurbar,
Tq. & Dist. Nandurbar.

... Applicants

Versus

The State of Maharashtra
Through the Police Inspector,
Nandurbar City Police Station,
Tq. & Dist. Nandurbar.

... Respondent

**WITH
BAIL APPLICATION NO. 282 OF 2025**

1. Ashrad Nasir Pathan
Age : 20 years, Occu: Labour,
R/o. Chirag Galli, Nandurbar,
Tq. & Dist. Nandurbar.
2. Shaikh Ayyan Shaikh Yusuf
Age: 26 years, Occu: Civil Engineer,
R/o. Ghodapeer Mohalla, Nandurbar,
Tq. & Dist. Nandurbar.
3. Mohammad Avesh Shaikh Yusuf
Age: 24 years, Occu: Labour,
R/o. Ghodapeer Mohalla, Nandurbar,
Tq. & Dist. Nandurbar.
4. Shaikh Bashir Shaikh Siraj
Age: 48 years, Occu: Labour,
R/o. Patelwadi, Nandurbar,
Tq. & Dist. Nandurbar.
5. Sahil Bashir Shaikh
Age: 25 years, Occu: Labour,
R/o. Patelwadi, Nandurbar,
Tq. & Dist. Nandurbar.
6. Sayyed Rizwan Ali Sayyed Rahemad Ali
Age : 31 years, Occ: Labour,
R/o. Razzak Park, Nandurbar,
Tq. & Dist. Nandurbar.
7. Shaikh Juned Shaikh Rafik
Age : 32 years, Occu: Labour,
R/o. Dhanora Road, Nandurbar,
Tq. & Dist. Nandurbar.
8. Shaikh Juber Shaikh Rafik
Age : 26 years, Occu: Labour,
R/o. Dhanora Road, Nandurbar,
Tq. & Dist. Nandurbar.

9. Abib Mohammad Rafik Mohammad
Age : 32 years, Occu: Labour,
R/o. Ghodapeer Mohalla, Nandurbar,
Tq. & Dist. Nandurbar.
10. Wasim Khan Maheboob Khan
Age : 30 years, Occ. Labour,
R/o. Ghodapeer Mohalla, Nandurbar,
Tq. & Dist. Nandurbar.
11. Adnan Khan Sabdarkhan
Age : 23 years, Occu: Labour,
R/o. Chirag Galli, Nandurbar,
Tq. & Dist. Nandurbar.
12. Sahil Khan Jakir Khan
Age : 20 years, Occu: Labour,
R/o. Chirag Galli, Nandurbar,
Tq. & Dist. Nandurbar.

... Applicants

Versus

The State of Maharashtra
Through the Police Inspector,
Nandurbar City Police Station,
Tq. & Dist. Nandurbar.

... Respondent

**WITH
BAIL APPLICATION NO. 283 OF 2025**

Rahanuddin @ HCP Pintya Rahimuddin Kazi
Age: 30 years, Occu: Labour,
R/o. Chirag Galli, Nandurbar,
Tq. & Dist. Nandurbar.

... Applicant

Versus

The State of Maharashtra
Through the Police Inspector
Nandurbar City Police Station,
Tq. & Dist. Nandurbar.

Respondent

-4-

.....
Mr. Govind R. Ingole, Advocate for the Applicants.
Mr. V. M. Chate, APP for Respondent-State.
.....

CORAM : ABHAY S. WAGHWASE, J.

Date : 13.02.2025

ORDER :

1. All above regular bail applications are arising out of one and the same crime, i.e. crime no. 0058 of 2025 registered at Nandurbar City Police Station, District Nandurbar for offence under Sections 109, 190, 132, 121(2), 324(4), 118(1), 189(2), 191(2), 191(3), 192, 125(a), 125(b) of the Bharatiya Nyaya Sanhita [BNS] and Sections 37(1), 37(3) & 135 of the Maharashtra Police Act.

2. Learned counsel for the applicants submits that there is apparently false implication on allegation of rioting. That, only names of applicant nos. 1, 4, 5 and 6 in Bail Application No. 282 of 2025 are appearing in the FIR lodged by police officer. There are allegations that there was communal riot and pelting of stones. Applicants are behind bars since almost one month. 13 persons are named in the FIR along with 30 to 35 unknown persons. No specific role is defined. Nothing is shown to be recovered at their instance and hence, learned counsel pray for regular bail on any condition deemed fit by this Court.

3. Learned APP strongly opposed on the ground that, there is attack on police party by pelting stones and some of the police personnel suffered injuries. That, applicants and others indulged in rioting. Names of some of them are reflected in the FIR. There is CCTV footage showing presence of applicants while indulging in rioting and therefore, as investigation is incomplete, learned APP prays to reject the applications.

4. Heard. Perused the papers. Bail Application No. 280 of 2025 seems to be at the instance of Danish Baig; Bail Application No. 281 of 2025 is at the instance of Danish @ Sembhay Pathan and two others; Bail Application No. 282 of 2025 seems to be at the instance of Ashrad Nasir Pathan and 12 others, whereas Bail Application No. 283 of 2025 seems to be at the instance of Rahanuddin Kazi.

5. Report resulting into registration of crime is apparently, as pointed, by a police officer, who was said to be on duty for maintaining law and order. He reported that, on 19.01.2025 at around 9.30 p.m., 50 to 60 Muslim youth, some of whom were masked, started raising slogans against police and when the mob was directed to get dispersed, it is alleged that, there was pelting of

stones. Crime seems to be registered at the instance of police officer, but on next day i.e. on 20.01.2025. Apparently, allegations are of rioting by a mob. Learned APP made a statement that incidence was a fall out of communal dispute and tension. Applicants are arrested between 20.01.2025 to 30.01.2025 respectively and are behind bars since then. Primarily allegations are of formation of unlawful assembly and indulging in rioting and pelting stones on police party. What is further to be recovered or discovered at the instance of the applicants is not made known to the Court. Though investigation is in progress, considering the above, when no purpose is shown to be achieved by further detention, applicants succeed. Hence, I proceed to pass the following order:

ORDER

- I. The applications are allowed.
- II. Applicants be released on bail in connection with Crime No. 0058 of 2025 registered at Nandurbar City Police Station, District Nandurbar, on executing Personal Bond of Rs. 15,000/- each, with one surety by each of the applicants in the like amount, on following conditions :
 - [a] The applicants shall not tamper prosecution evidence.

[b] The applicants shall attend the concerned Police Station twice in every week i.e. on every Monday and Friday till filing of the chargesheet and also to maintain a personal diary of their attendance.

[ABHAY S. WAGHWASE, J.]

vre