



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

915 ANTICIPATORY BAIL APPLICATION NO. 416 OF 2025

KALIM HAJI SHAIKH AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Applicant : Mr. Narwade Narayan B.
APP for Respondents 1 & 2 : Mrs. P.V. Diggikar
Advocate for Respondent 3 : Mr. Abdulla Peerzade and Mr. Toheed Majiyar
...

CORAM : ARUN R. PEDNEKER, J.

DATE : 24/04/2025

PER COURT :

1. Heard the learned counsel for the applicants and the learned APP for the respondents-State.
2. The applicants are apprehending arrest in connection with Crime No. 662/2024 dated 2.8.2024 registered with Sangamner City Police Station, Tq. Sangamner, District Ahmednagar for the offences punishable under sections 118(2), 118(1), 115, 351(3), 352, 189(2), 191(3), 190, 74 of B.N.S., 2023 and sections 8 and 12 of the Protection of Children From Sexual Offences Act.
3. This Court by order dated 18.12.2024 has dismissed the anticipatory bail application of the present applicants on merits. This is the second anticipatory bail application filed by the applicant as the chargesheet in the matter is filed and applicants are shown as absconding.
4. The learned counsel for the applicants submits that the medical evidence produced before filing the chargesheet would indicate that injury certificate is issued by the private hospital, which shows that the grievous injuries are caused to the informant. The learned APP has taken instructions

in the matter and specifically points out that the rural hospital where the patient was admitted did not have facility of CT Scan and as such, the patient was referred to the private hospital and based on the CT Scan report, the injury certificate is issued which shows that grievous injury is sustained by the informant.

5. Since there is dismissal of the first anticipatory bail application of the applicants on merits and since no any substantial change in circumstances is brought on record after filing of the charge sheet, the subsequent anticipatory bail application filed by the applicants cannot be entertained. Hence, the application is dismissed.

6. It is also clarified that the observations made in this order are limited for the disposal of the present anticipatory bail application and the trial Court shall not be influenced by the observations made hereinabove while hearing regular bail application or trial.

7. The application stands disposed of.

[ARUN R. PEDNEKER, J.]

SSC/