



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.1014 OF 2025

1. Mujib Alias Baba Sabermiya Jahgirdar,
2. Jahagirdar Mohd. Samir S/o. Mohammed Saber,
3. Jahagirdar Mubin Jahgirdar Saber,
4. Juber S/o. Saber Jahagirdar ... Applicants

Versus

The State of Maharashtra,
Through Harsul Police Station,
Aurangabad. ... Respondent

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Mr. M. M. Khan, Advocate for Applicants.
Mrs. D. S. Jape, APP for Respondent – State.

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CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 19 AUGUST 2025

PRONOUNCED ON : 22 AUGUST 2025

ORDER :

1. Apprehending arrest in Crime No. 0140 of 2025 registered with Harsul Police Station, Chhatrapati Sambhajinagar for offences punishable under sections 109, 115, 118(1), 189, 191, 191(1), 190 of Bharatiya Nyaya Sanhita, applicants have prayed for anticipatory bail.

2. The learned counsel for applicants, at the outset, would submit that in view of the subsequent development i.e. grant of regular bail to applicant No.1 (Mujib Alias Baba Sabermiya Jahgirdar) and applicant

No.4 (Juber S/o. Saber Jahagirdar) by the trial court by order dated 11.08.2025 and 29.07.2025, respectively, this application has become infructuous to their extent. In view of this, the application of applicant nos.1 and 4 is disposed off as infructuous.

3. Learned counsel pointed out that, informant is real brother of accused. There is dispute over the sale of plot. That, there are allegation that on 16.05.2025, 10 persons named in the FIR assaulted informant and his brother-in-law. That, there is cross complaint. Learned counsel submitted that, applicant nos.1 and 4 are already granted regular bail at the hands of trial court and hence as regards to applicant nos.2 and 3, ground of parity is pressed into service.

4. Learned APP opposed on the ground that, there is use of articles like knife, iron rod in inflicting injury upon informant as well as his brothers-in-law. Medical papers are placed on record. Recovery is yet to be effected and for above reasons, relief is opposed.

5. Heard. Perused the report at the instance of Javed Munaf Shaikh dated 17.05.2025, therein he reported that, in 2024, he had purchased plot from his brothers, namely Shaikh Wajid and Shaikh Sajid and they were forcing informant to hand it over back to them by abusing

and issuing threats. He reported that, on 16.05.2025, 10 persons including present applicants entered his house. Shaikh Wajid inflicted knife blow on his head, whereas Shaikh Sajid assaulted his brothers-in-law Shaikh Arbaz and Shaikh Nishad with iron rod and causing them fracture injuries. On above report crime seems to have been registered.

6. Learned APP has placed medical papers on record, which shows that informant was admitted in the hospital from 16.05.2025 at 8:00 p.m. to 21.05.2025. Therefore, considering the nature of articles allegedly put to use, some of the accused are granted regular bail and though citations are relied, facts in those cases are distinct. Merely because there is cross complaint, benefit as sought cannot be granted, more particularly when there are allegations of use of knife and iron rod. In view of above discussion, this court is not inclined to extend relief as prayed.

7. The application is rejected.

(ABHAY S. WAGHWASE, J.)