

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

941 ANTICIPATORY BAIL APPLICATION NO. 1179 OF 2025

1. Shaikh Shayak s/o Babamiya
 2. Shaikh Mubina w/o Shaikh Shayak
- ...Applicants

VERSUS

The State Of Maharashtra

...Respondent

...
Mr. Abhaysinh K. Bhosle - Advocate for Applicants
Mr. B. B. Bhise - APP for State
...

CORAM : NEERAJ P DHOTE, J.
DATED : 03RD OCTOBER, 2025

PER COURT : -

1. Heard learned Advocate for the Applicants and the learned APP for the State. Perused the papers.

2. Crime No. 0199 of 2025 is registered with Majalgaon City Police Station, District Beed, for offences punishable under Sections 318(4), 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 82 and 83 of the Registration Act, 1908. The Applicants are Accused Nos. 1 and 2 in the said Crime.

3. It is the case of the Prosecution that, though the father of the Applicant No. 2 died in May-2007, the Applicant No. 2's brother, i.e. Accused No. 4, gifted the landed property to the Applicant No. 2 on the

basis of General Power of Attorney executed by their Deceased Father in favour of Accused No. 4.

4. According to the Prosecution, the said General Power of Attorney was only to the extent of attending the Court proceedings. The said Crime is registered on the report lodged by Sub-Registrar of the office where the said Gift Deed was registered. The possession of land is not with the Applicants. The Applicant No. 1 is the husband of Applicant No. 2, and he was the witness to the said Gift Deed. A civil litigation is pending between the legal representatives of the Deceased Father of the Applicant No. 2 and legal representatives of the brothers of Father of the Applicant No. 2 in respect of the property of the family. The case is based on documents. Considering the role attributed to the Applicants, the case for protection is made out on certain conditions. Hence, the following order: -

ORDER

- [i] The Application is allowed.
- [ii] In the event of arrest of the Applicant, Shaikh Shayak s/o Babamiya and Shaikh Mubina w/o Shaikh Shayak, in connection with Crime No. 0199 of 2025 registered with Majalgaon City Police Station, District Beed, for offences punishable under Sections 318(4), 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 82 and 83 of the

Registration Act, 1908, they be released on bail on their furnishing P.B. of Rs. 15,000/- [Rupees Fifteen Thousand], with one or two sureties in the like amount.

- [iii]** The Applicants shall attend Majalgaon City Police Station, District Beed, on 6th to 8th October, 2025, between 2:00 pm to 05:00 pm and thereafter, as and when called.
- [iv]** The Applicants shall co-operate with the Investigating Machinery.
- [v]** The Application stands disposed off.

[NEERAJ P. DHOTE]
JUDGE

SG Punde