



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

934 BAIL APPLICATION NO. 1330 OF 2025

ANWARKHAN @ GUJARKHAN MIRZAKHAN
VERSUS
THE STATE OF MAHARASHTRA

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Mr. J. M. Murkute, Advocate for Applicant.

Mr. A. D. Wange, APP for Respondent-State.

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CORAM : SANJAY A. DESHMUKH, J.

DATE : 9th OCTOBER, 2025

PC.:-

1. Heard learned Advocate for the applicant and learned APP for Respondent-State.

2. This is an application for grant of regular bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS). The applicant is arrested in Crime No.219 of 2019 dated 2nd August 2019, registered with Police Station Beed (Rural), Taluka & District Beed, for the offence punishable under Sections 397, 386, 307 and 506 of Indian Penal Code, 1860 and Section 4 and 25 of Arms Act, 1959.

3. Learned Advocate for the applicant has referred to the report, which states that the Informant runs a shop at Talegaon Shivar under the name "Muskan Bottle Scrap Traders". On 2nd August 2019, at approximately 11:00 a.m., Shaikh Anwar Shaikh Ali, a labourer in the Informant's shop, and merchant Shaikh Jafar were present. At that

time, all the accused allegedly entered the shop, placed a sickle at the Informant's throat, threatened him, and assaulted him with fists and kicks, committing dacoity of Rs.1,75,000/- in cash. Co-accused Amar allegedly assaulted the Informant on his stomach with a knife, which struck his right thigh as the Informant moved backward. Simultaneously, co-accused Shahrukh and two others allegedly assaulted the Informant. Amar further threatened that if the Informant did not pay Rs.1 crore within eight days, the entire family would not be spared. Gujarkhan had allegedly been demanding ransom from the Informant for approximately one month prior.

4. Thereafter, the applicant, along with businessman Zafar, allegedly dropped the Informant at his brother's shop by a motorbike. Immediately afterward, the applicant and his associates allegedly threatened the Informant not to lodge a report, failing which he would be killed. Subsequently, the applicant was admitted to Government Hospital, Beed for medical treatment and filed the FIR.

5. Learned Advocate for the applicant submits that the co-accused have been released on bail. The applicant has strong roots in society and is not likely to abscond during the trial. Considering these circumstances, it is prayed that the applicant may be granted bail.

6. Learned APP for the Respondent-State has opposed the

application, submitting that the applicant is involved in a serious offence and has nine criminal antecedents. It is further contended that if the applicant is released on bail, there is a likelihood that he may intimidate the prosecution or tamper with the evidence. In view of these aspects, particularly noting that the applicant has already been convicted by the MCOCA Special Court in Special (MCOCA) Case No.51 of 2020, it is lastly prayed that the application be rejected.

7. Perused the charge-sheet, particularly the report and statements of the witnesses. Learned Advocates for both sides have submitted the status of the trial. However, the applicant is booked for a serious offence. The applicant has nine criminal antecedents. If he is released on bail, there is a likelihood that he may commit similar nature of crime the applicant may intimidate and pressurize the prosecution witnesses and tamper with the evidence. In such circumstances, the no any ground is made out for granting bail, keeping in view the principle that bail is the rule and jail is the exception. Accordingly, the application is rejected.

(SANJAY A. DESHMUKH, J.)