



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

ANTICIPATORY BAIL APPLICATION NO. 1207 OF 2025

**SHAIKH MAZZ SHAIKH MATEEN
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicant : Mr. Chaitanya Deshpande a/w Mrs.
Aishwarya Deshpande and Mr. Zaki Shaikh Shaikh Nawab Ahmed
APP for Respondent/State : Mrs. P.J. Bharad
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CORAM : MEHROZ K. PATHAN, J.

DATE : 6th NOVEMBER 2025

PER COURT :

1. The Applicant has approached this Court, seeking anticipatory bail in connection with Crime No.260/2024 registered with Cantonment Police Station, District Aurangabad for the offence punishable under Section 395 of the Indian Penal Code.
2. It is the submission of the Counsel for the Applicant that complainant policeman was in a drunken state and has given a dash through his vehicle to one of the relatives of the present Applicant, who was required to be admitted in the hospital. Upon the present Applicant making an attempt to register a complaint, the complaint was not registered against the present complainant – Dipesh Nagjhare, as he himself was a police constable.
3. It is the further submission of the Counsel for the Applicant

that the complainant, being a police constable, has misused the police machinery to register an FIR against the present Applicant, incorporating an exaggerated version of the alleged snatching of a gold ring. It is the submission that the relative of the present Applicant Sayyad Majid, who was injured by the dash given by the complainant Dipesh Nagjhare, that is the complainant in present FIR No.260/2024, has registered an FIR No.261/2024 with police station Cantonment, Chawni, wherein the same vehicle number is mentioned as MH-21-V-6220 which has given dash to the complainant Sayyad Majid.

4. It is therefore submitted by the Counsel for the Applicant that the entire case is a concocted allegation being the story put up by the police official who was driving the vehicle in drunken state. He further submits that the another accused Shaikh Sohel Shaikh Munshi has been protected by this Court dated 24.10.2024 and this Court may therefore also protect the present Applicant as he is ready to cooperate with the investigation and abide by the conditions as imposed in the case of Shaikh Sohel.

5. As against this, learned APP submits that the ground of parity may not be available to the present Applicant, as the charge-sheet has now been filed and the injury certificate, which was earlier missing, has also been made available to the Investigating Officer and now forms part of the charge-sheet. She therefore submits that this is not a case for grant of anticipatory bail.

6. I have gone through the entire record including the charge-sheet and the order passed by this Court in Criminal ABA No.1574/2024, granting bail to Shaikh Sohel vide order dated 24.10.2024. This Court has considered in detail the allegations made in the FIR. The same need not be reiterated and are kept open for the Trial Court to consider. However looking to the nature of the allegations and the allegation in the counter FIR being FIR No.261/2024, mentioning the vehicle number of the complainant, I am inclined to exercise discretion under Section 482 of B.N.S. on the ground of parity. Hence the following order :

ORDER

(i) In the event of arrest of the Applicant – Shaikh Mazz Shaikh Mateen, be released on bail on furnishing P.R. bond of Rs.50,000/- (Rupees Fifty Thousands) with one solvent surety in the like amount, in connection with Crime No.260/2024 registered with Cantonment Police Station, District Aurangabad, on the following conditions :

(a) He shall attend the concerned police station as and when called by the Investigating Officer.

(b) He shall not contact the witnesses directly or indirectly.

(c) He shall not interfere with the evidence in any manner whatsoever.

(d) He is further directed to cooperate the investigating agency for further investigation.

7. The application stands disposed of in the above terms.

MEHROZ K. PATHAN
JUDGE

NAJEEB..