

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1433 OF 2025

Alam Khan Ilyaz Khan

....Applicant

VERSUS

The State Of Maharashtra And Another

.....Respondent

.....
Advocate for Applicant : Mr. Gite Ravi Balasaheb
APP for Respondents: Mr. S.P. Joshi.

CORAM : MEHROZ K. PATHAN, J.
DATE : 4th NOVEMBER, 2025.

P.C. :-

The applicant is seeking his release on anticipatory bail in connection with crime No. 0094 of 2025, registered with Begumpura Police Station, District Chhatrapati Sambhajnagar for the offences punishable under Sections 118-1, 115-2, 352, 351-2 of the Bhartiya Nyay Sanhita.

2. The case of the prosecution is that, informant was abused and threatened by the applicant on the ground that he should not accompany Abu Lala Hashmi. After initially abusing the complainant, applicant is alleged to have assaulted the complainant with knife on his head causing bleeding injury saying that he will kill him if he does so. It is further alleged that the applicant has assaulted the complainant by means of stone and threatened to kill him. The FIR was thus registered. The applicant has sought anticipatory bail by filing application before the learned Sessions Judge. The learned Additional Sessions Judge, Court No.1, Aurangabad, has rejected the application on the ground that the applicant is alleged to have used dangerous weapon like knife in causing injury to the victim complainant – Mohsin Ali Hashmi.

4. Today, when the matter was called out for hearing, the counsel for applicant, as also, learned APP submits that the charge sheet is already filed. The Provisional Injury Certificate and final Injury Certificate is made available for perusal of this Court. Perusal of the Injury Certificates would show that the injury caused is found to be simple injury and that too, blunt Trauma on head and left ear.

5. Learned APP on the other hand, seriously opposed the application on the ground that the charges are serious.

6. Considering the Injury Certificates, wherein, the nature of injury is described as simple and the statement of the complainant, it appears that the allegation does not corroborate with the injuries sustained by him. Thus, in my opinion, a case is made out for grant of anticipatory bail. Hence, the following order.

ORDER

[I] In the event of arrest of the present applicant in connection with Crime No.0094 of 2025, registered with Begumpura Police Station, District Chhatrapati Sambhajinagar for the offences punishable under Sections 118-1, 115-2, 352, 351-2 of the Bhartiya Nyay Sanhita, he shall be released on bail on furnishing P.R. Bond in the sum of Rs.25,000/- with one or more sureties in the like amount, on the following conditions :-

[i] The applicant shall attend the trial on each and every date, except, in case of any emergency, he can seek exemption from the learned trial court.

[ii] The applicant shall not influence the prosecution witnesses or any other person connected with the crime.

[iii] It is made clear that a single incident of threatening shall entitle the prosecution to seek cancellation of bail.

[iv] The application stands disposed of.

[MEHROZ K. PATHAN]
JUDGE.

grt/-