



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 2132 OF 2025

Ruksar Isa Qureshi

VERSUS

The State Of Maharashtra

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- Mr. N. S. Ghanekar, Advocate for Applicant
- Mr. R. K. Ingole, APP for Respondent - State

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CORAM : MEHROZ K. PATHAN, J.

DATED : 27.11.2025

PER COURT :

1. Heard Mr. Ghanekar, learned counsel for the applicant and Mr. Ingole, learned APP for the State.
2. The applicant has approached this Court seeking regular bail in connection with FIR bearing Crime No. 0589 of 2025, dated 07.10.2025, registered with MIDC CIDCO Police Station, District – Chh. Sambhajnagar for the offences punishable under Sections 109(1), 115(2), 118(1), 118(2), 189(1), 189(2), 189(4), 191(2), 190, 352, 351(3) of the Bharatiya Nyaya Sanhita, 2023.
3. The prosecution alleges that on 07.10.2025, the complainant received information about illegal transportation and storage of animal meat in the Chikalthana area. Acting on the information, the

complainant and police staff intercepted an LPG rickshaw bearing No. MH-20-BT-8475, coming from the airport side. The driver abandoned the rickshaw and fled. Upon inspection, animal meat packed in plastic bags was found and the vehicle was taken to the police station.

4. Thereafter, the complainant received information about a stock of animal meat at Pushpak Garden and informed Police Officer Dhage. While the complainant was present at the spot, 6–7 persons gathered, abused him in filthy language, and assaulted him with an iron rod, knife, and fists. Subsequently, 10–15 persons further beat him. The injured complainant was taken to Ghati Hospital and later referred to J.J. Plus Hospital, after which the present complaint was lodged.

5. Learned counsel for the applicant submits that the FIR does not attribute any specific overt act to the present applicant. It is submitted that the allegations of causing injuries are primarily against the male members of the family. According to the learned counsel, at the most, the role attributed to the applicant is limited to abusing the complainant and that there are no allegations of assault by the applicant with any weapon.

6. Learned counsel further submits that the applicant is suffering from severe kidney disease and is required to undergo regular

hemodialysis, as advised by the Department of Nephrology of Mahatma Gandhi Medical College and Hospital, Chh. Sambhajinagar. Medical papers evidencing such treatment have been annexed to the application. It is submitted that considering the limited role attributed to the applicant, the medical condition, absence of criminal antecedents, and the fact that the investigation is almost complete, further incarceration of the applicant is not necessary. The applicant is ready to abide by all the conditions that may be imposed by this Court.

7. As against this, Shri. Ingole, learned APP opposes the application, submitting that the applicant was a part of the unlawful assembly, which assaulted the complainant when he visited the area upon receipt of information regarding cruelty to animals and violations of the Maharashtra Prevention of Animal Cruelty Act. It is submitted that the role of the applicant is narrated in the FIR and is also supported by the statements of witnesses Kapil, Akshay, and Police Constable Dhage, who were present at the time of the incident.

8. So far as the medical condition of the applicant is concerned, learned APP Shri. Ingole submits that the Central Prison Authorities have furnished a report stating that the applicant is being provided regular medical treatment and is being taken to Government Medical College and Hospital, Chh. Sambhajinagar with the Police Escort. The

medical report dated 25.11.2025 confirms that the applicant is suffering from severe kidney disease and is undergoing hemodialysis on a regular basis. Learned APP submits that adequate medical care is being provided and that the health condition of the applicant is reported to be stable. Considering the seriousness of the offences and the fact that the charge-sheet is yet to be filed, the learned APP prays for rejection of the bail application.

9. I have carefully perused the FIR and the investigation papers. The FIR does not disclose any specific overt act attributed to the present applicant, except allegations regarding abuse and assault by female members of the family with fists and kicks. The statements of witnesses Akshay, Kapil, and Police Constable Dhage do not specifically attribute the role of snatching the mobile phone of the constable to the present applicant.

10. The perusal of the FIR and the statements of the witnesses indicates that a limited role is attributed to the applicant. The male members of the family, who are alleged to have assaulted the complainant, are already in custody. The medical reports submitted by the Central Prison Authorities reveal that the applicant is required to undergo regular hemodialysis, necessitating frequent visits to the hospital under police escort. The medical record shows that the applicant was taken to the hospital for dialysis on 08.10.2025,

12.10.2025, 14.10.2025, 16.10.2025, 20.10.2025, and on several other dates as mentioned in the report. Thus, taking into consideration the aforesaid circumstances, coupled with the fact that the investigation insofar as the applicant is concerned is almost complete and the charge-sheet is likely to be filed within a short time, and further considering that the applicant has been under arrest since 08.10.2025, no further fruitful purpose would be served by keeping the applicant behind bars. The apprehension raised by the learned APP regarding tampering with evidence or absconding can be adequately safeguarded by imposing suitable conditions and I am of the view that continued incarceration of the applicant is not warranted. Hence, the following order is passed :-

ORDER

- i. The applicant – *Ruksar Isa Qureshi* shall be released on regular bail upon furnishing a P.R. bond of Rs. 50,000/- (Rupees Fifty Thousand Only) with one or two local solvent sureties in the like amount, in connection with Crime No. 0589 of 2025 dated 07.10.2025, registered with MIDC CIDCO Police Station, District Chh. Sambhajinagar, for the offences punishable under the provisions of the Bharatiya Nyaya Sanhita, 2023, subject to the following conditions:-
 - (a) The applicant shall attend the concerned police station and report to the Investigating Officer every Saturday between 12:00 p.m. and 02:00 p.m. till filing of the charge-sheet and thereafter as and when required.

- (b) The applicant shall attend each and every date of the Trial Court without fail unless exempted by the Trial Court on emergent consideration.
- (c) The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
- (d) The applicant shall submit his Aadhar and Pan Card to the Investigation Officer and detailed addresses and phone numbers of applicant and two of the near relatives.

11. In case of violation of any of the above conditions, the bail granted to the applicant shall be liable to be cancelled.

12. Needless to say, the observations made in this order are limited to the disposal of the present bail application and the Trial Court shall proceed further in the matter without being influenced by the observations made hereinabove.

13. The application stands disposed of accordingly.

(MEHROZ K. PATHAN, J.)