



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 2129 2025

Rafiq Chand Shaikh @ Sonu Hingoli

Versus

The State of Maharashtra

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- Mr. K. A. Kadam, Advocate for the Applicant
- Mr. R. K. Ingole, APP for Respondent – State

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CORAM : MEHROZ K. PATHAN, J.

DATED : 18.12.2025

PER COURT :

1. Heard learned counsel for the applicant and the learned APP for the respondent–State.
2. This application is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking anticipatory bail in connection with Crime No. 73 of 2025 registered with Pundaliknagar Police Station, Chhatrapati Sambhajnagar, for the offences punishable under Sections 109(1), 118(1), 352 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.
3. The prosecution case, as reflected from the First Information Report, is that on 16.02.2025 at about 21:45 hours, the applicant Rafiq Chand Shaikh @ Sonu Hingoli along with co-accused Sonu

Bond, on account of previous enmity, assaulted the informant Nitin Ugane. It is specifically alleged that the present applicant abused the informant and assaulted him by throwing a cement block on his head, while the co-accused attempted to assault him with a rod and thereafter inflicted knife blows. After committing the assault, the accused fled away from the spot. On the basis of the said complaint, the aforesaid crime came to be registered.

4. Learned Advocate for the applicant submitted that the applicant has been falsely implicated in the present crime and that the allegations are exaggerated. One complainant had given an affidavit that the applicant was pacifying the quarrel between complainant and accused Sonu Bond. The name of applicant was wrongly implicated due to misunderstanding. It is contended that the applicant has no role in the alleged incident. Learned counsel further submits that the applicant is ready and willing to abide by all the conditions that may be imposed by this Court and prays for grant of anticipatory bail.

5. As against this, learned APP strongly opposed the application and submitted that the applicant is directly involved in committing a grievous offence against the human body also that the offenses are non-bailable and cognizable in nature. It is submitted that the applicant has three criminal antecedents Crime Nos 69/2022,

379/2020 and 377/2019 against him at Pundaliknagar police station and the applicant is a habitual offender. It is further submitted that the applicant and co-accused have threatened and induced the complainant and other witnesses and have obtained affidavits by exercising intimidation and inducement. According to the learned APP, custodial interrogation of the applicant is necessary and grant of anticipatory bail would seriously hamper the investigation.

6. I have carefully considered the rival submissions and perused the material on record. At this stage, the FIR discloses a specific and active role attributed to the present applicant. The allegations prima facie disclose commission of a serious offence involving assault by dangerous weapon. The material on record also indicates that the applicant has criminal antecedents of robbery and assault and there are serious allegations of threatening and influencing the prosecution witnesses. In such circumstances, custodial interrogation of the applicant appears necessary for a fair and effective investigation. Grant of pre-arrest bail in a case of this nature would adversely affect the investigation and may result in interference with the course of justice.

7. Considering the gravity of the offence, the nature of allegations, the specific role attributed to the applicant, his criminal background, and the apprehension of tampering with evidence and

influencing witnesses, I am not inclined to exercise discretion in favour of the applicant. The Anticipatory Bail Application stands **rejected**.

8. Needless to say, the above observations are prima facie in nature and shall not influence the Trial Court or any other Court while deciding the case on its own merits.

(MEHROZ K. PATHAN, J.)