



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

57 ANTICIPATORY BAIL APPLICATION NO. 496 OF 2025

1. RIHAN MUBARAK SAYYAD
2. MUBARAK RASID SAYYAD
3. AFSAR CHANDU SHAIKH
4. ASLAM MEHBOOB SAYYAD

VERSUS

THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Menezes Joslyn A.
APP for Respondent/State: Mr. B. B. Bhise

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CORAM : ARUN R. PEDNEKER, J.

DATE : 05.05.2025

P.C. :

1] Heard learned counsel for the applicants and the learned APP for the respondent-State.

2] The applicants are apprehending arrest in connection with Crime No.43/2025, registered at Chaklamba Police Station, District Beed, for the offences punishable under Sections 118(1), 115(2), 352, 351(2), 351(3), 189(2), 190, 191(2) of the Bharatiya Nyaya Sanhita and added Section 109 of the Bharatiya Nyaya Sanhita.

3] This court by order dated 28.03.2025 granted interim protection to the applicants noticing the submissions at paragraph no.3, as under:

“3] The learned counsel for the applicants submits that the FIR was registered against the applicants alleging that the applicants assaulted the informant and due to the said assault, the informant caused injuries. Thereafter, the applicants were arrested on 28.01.2025 and on the same day, the Magistrate has granted bail in favour of the applicants by order dated 28.01.2025. He further submits the supplementary statement of the informant was recorded on 03.02.2025 i.e. after 7 days and subsequently Section 109 of B.N.S. was added, therefore, there are exaggeration in the supplementary statements.”

4] In the order dated 28.03.2025, it is noticed that there are exaggerations made in supplementary statements, which is recorded after 7 days. However, supplementary statement is recorded after 5 days.

5] The learned APP submits that there is the grievous injury i.e. fracture of the nasal bone. However, it is not known what is the weapon used and possibility of the injury being caused without any weapon cannot be ruled out.

6] Considering the same, interim protection granted by order dated 28.03.2025 can be confirmed.

7] In view of the above, the interim protection granted by order dated 28.03.2025 stands confirmed, on the following terms:

i] The applicants shall attend the police station as and when required by the Investigating Officer.

ii] The applicants shall not tamper with the evidence of the prosecution in any manner. They shall not influence the informant, witnesses and other persons concerned with the case.

iii] The applicants shall co-operate with the investigation and also in the proceedings before the trial Court.

8] In the event, the applicants violate any of the conditions specified in this order, it shall be liable to be cancelled.

9] It is also clarified that the observations made in this order are limited to the disposal of the present anticipatory bail application and the trial Court shall proceed further in the matter without being influenced by the observations made hereinabove.

10] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE