

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 1201 OF 2025

Vasim Jamir Ansari @ Vasim Bhissi

Applicant

.. (Accused No. 4)

Versus

The State of Maharashtra

.. Respondent

.....

- Mr. S.K. Kamble a/w Ms. Manisha Jadhav for Applicant
- Ms. Mahalakshmi Ganapathy, APP for Respondent - State

.....

CORAM : MILIND N. JADHAV, J.

DATE : MARCH 25, 2025

P. C.:

1. Heard Mr. Kamble, learned Advocate for Applicant and Ms. Ganapathy, learned APP for State.

2. Applicant stands convicted for offences punishable under IPC, Indian Arms Act and Maharashtra Police Act. He is arrested two and half years from the date of the actual incident / crime in 2020.

3. Mr. Kamble would inform the Court accused Nos. 1 to 3 were instrumental in carrying out the incident and murdering the victim. Insofar as the indictment of the Applicant – accused No. 4 is concerned, the prosecution's case is that he was instrumental in assisting accused Nos. 1 and 2 in fleeing from the scene of the crime after commission of crime. To that extent prosecution case against the Applicant is that at the behest of accused No. 3, Applicant delivered a

car to accused Nos. 1 and 2 at Bhiwandi. Mr. Kamble would submit that Applicant is an auto-rickshaw driver by profession. Accused No. 3 took his services to deliver the car to accused Nos. 1 and 2. He would submit that Applicant had no knowledge whatsoever about the crime in question which occurred in Bhiwandi as he only acted at the behest of accused No. 3 to deliver the car given to him by accused No. 3 to be delivered to accused Nos. 1 and 2 on the particular date in return of his compensation. He would submit that accused No. 3 called the Applicant under the pretext of taking his wife to the hospital. However when Applicant reached to the accused No. 3, he persuaded the Applicant to take the car from Rabodi, Thane to Bhiwandi and deliver it to accused Nos. 1 and 2. Prosecution case is that accused Nos. 1 and 2 escaped in the said car which was delivered by the Applicant after commissioning of the crime. After the said car was delivered, Applicant was asked to deliver the motorcycle of accused Nos. 1 and 2 to the accused No. 3 and he was asked to park the said motorcycle at a particular place in Thane which he did. For doing so, he received his compensation from accused No. 3 as he was a driver by profession.

4. Considering the aforesaid limited role of the Applicant in the crime, Mr. Kamble persuades the Court to consider incarceration of the

Applicant for the last one and half year and release the Applicant on bail.

5. Learned APP shall take appropriate instructions on what is agreed and delineated herein above by Mr. Kamble and apprise the Court about the nexus and role of the Applicant to the present crime in question on the next adjourned date. It is directed that entire copy of the chargesheet shall be served on the learned APP to enable her to ascertain the precise role of the Applicant.

6. Considering the aforesaid submissions, present Application shall be taken up for hearing on the next adjourned date.

7. Stand over to **9th April, 2025 at 2:30 p.m.**

[MILIND N. JADHAV, J.]

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