

Ajit Pathrikar

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 3754 OF 2025**

Khurshid Alam Abdula Kayyuum	
Shaikh @ Khurshid Langda	...Applicant
Versus	
State Of Maharashtra	...Respondent

Mr. B. J. Shaikh, *for the Applicant.*
Ms. Anamika Malhotra, *APP for the State-Respondent.*
PSI – Mahesh Anjanwad, *Shivajinagar Police Station, Mumbai,*
is present.

CORAM Dr. Neela Gokhale, J.
DATED: 1st October 2025

PC:-

1. The Applicant seeks his release on bail in connection with FIR No. 828 of 2023 dated 15th September 2023 registered with the Shivajinagar Police Station for the offenses punishable under Sections 307 and 324 of the IPC.

2. The case of the prosecution, in brief and based on the statement of the injured victim, is that the injured-victim and the Applicant were acquaintances. They had met in the Nashik

Central Prison, where both were lodged for having committed some offences. On 13th September 2023, at about 7.30 pm., the Applicant called the injured-victim near the Welcome Hotel. They had tea in the hotel and the Applicant requested the injured-victim to drop him home. While they were on the injured-victim's bike, upon reaching a friend's house, the Applicant got down from the bike and while the injured-victim was looking at his mobile phone, the Applicant suddenly took out a knife and stabbed him in his abdomen. The injured-victim tried to stop him and in the process, also injured his hand. On the complaint of the injured-victim's wife, the FIR was registered.

3. The Applicant made an application before the Sessions Court, Mumbai seeking bail. However, by an order dated 24th July 2024, the said bail application was rejected. Hence, the Applicant has made the present application for the relief as prayed.

4. Mr. B. J. Shaikh, learned Counsel for the Applicant, submits that the Applicant was arrested on 18th September 2023 and charges were framed on 8th January 2025. He submits that considering the Applicant has been in custody for two years and no witness is examined as yet, the Applicant be released on bail.

5. *Per contra*, Ms. Anamika Malhotra, learned APP, states that the knife i.e., the weapon of assault, is recovered at the behest of the Applicant. She also brings to my notice the statements of the witnesses, which are consistent with the incident as narrated by the injured victim. She points to the medical certificate of the LTMG Hospital, Sion, Mumbai. She submits that the Applicant has antecedents of similar nature and hence, his bail application be rejected.

6. I have heard the parties and gone through the record with their assistance.

7. I have perused the statement of the injured-victim. He has very lucidly narrated the incident as it happened. His story is corroborated by the statements of the eyewitnesses as well as the medical report which clearly records that the injured-victim has suffered grievous injury. The Nivedan Panchanama dated 21st September 2023 also records that the knife, as the weapon of assault, is recovered at the behest of the Applicant.

8. All the aforesaid material *prima facie* indicates the involvement of the Applicant in the said offense. The Applicant is in custody for the past two years. However, the charges have been framed on 8th January 2025. Ms. Malhotra has stated that although the list of 18 witnesses is given in the Trial Court, on instructions, she states that all of them are not likely to be examined by the prosecution. The incarceration of the Applicant is not of such length so as to render it a violation of his fundamental right under Article 21 of the Constitution of India, more particularly since the trial has

commenced. In these circumstances, I am not inclined to grant bail to the Applicant.

9. The present bail application is rejected.

(Dr. Neela Gokhale, J)