

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

Anticipatory Bail Application No.590 of 2025

Sharatunnisha Hafizullah Shaikh

Age 26 years, Occ. Housewife,

R/o. Plot No.47, Gat No.24A,

Azad Nagar, Dist. Nashik

... Applicant

versus

1. The State of Maharashtra

Through Police Inspector,

Ambad Police Station, Nashik City,

Dist. Nashik.

2. Jamirullah Navasali Khan

Age 50, Occ. Labour,

R/o. Gat No. 24, Plot No.49,

Near Azad Nagar,

Varma Tools, Ambad, Nashik.

... Respondents

Mr Narayan Rokade a/w Mr Ashok Robert, Mr Abhang
Suryawanshi and Mr Ramchandra Wagh, for the Applicant.

Mr Prashant Jadhav, APP, for Respondent / State.

None present for Respondent No.2.

API Bagul, Ambad Police Station, Nashik, is present.

Coram: R.N. Laddha, J.

Date: 20 June 2025

P.C.:

By this application, the applicant seeks pre-arrest bail in connection with CR No.89 of 2025, registered at Ambad Police Station, Nashik, for offences punishable under Sections 115, 118(2), 351(2) and 352 read with 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. It is the case of the prosecution that on 1 February 2025 at 11:30 a.m., the informant went to the applicant's house to voice a concern regarding the construction materials placed outside his home. However, the applicant became furious and began to verbally abuse the informant. Hearing the commotion, the co-accused workers came out to see what was happening. Following this, the applicant, along with the co-accused, took the iron rod from the construction site and assaulted both the informant and his daughter. An unidentified individual present with them also joined in, attacking the informant and his daughter with punches and threatening them.

3. Mr Narayan Rokade, the learned Counsel appearing on behalf of the applicant, asserts the applicant's innocence and points out a delay of eight hours in reporting the present crime. The learned Counsel submits that the FIR makes a vague allegation that the applicant, along with two co-accused, picked

an iron rod from the spot and assaulted the informant. However, no specific role has been attributed to the applicant. There is no assertion that the informant was attacked with three separate iron rods, yet the prosecution claims to have recovered three such rods from the spot. Moreover, even as per the prosecution's case, there is nothing to be recovered or discovered from the applicant. The learned Counsel further submits that the applicant is a woman with no criminal antecedents and is willing to abide by any conditions imposed by this Court if released on bail.

4. Mr Prashant Jadhav, the learned Additional Public Prosecutor representing the respondent/ State, opposes the applicant's request and submits that the applicant assaulted the informant and his daughter with an iron rod. However, he concedes that the weapons have been recovered from the spot. The investigation is almost complete, and a charge sheet will be filed shortly. The learned APP raises concerns about granting pre-arrest bail as the applicant may tamper with the evidence or influence witnesses.

5. Upon perusing the records, it appears that the FIR fails to assign any specific or distinct role to the applicant in the alleged offence. There is no clear or categorical assertion that the informant was assaulted with three separate iron rods, which

raises doubt about the credibility and coherence of the prosecution's version. Notwithstanding this ambiguity, the prosecution claims to have recovered three iron rods from the scene of the occurrence. The allegations levelled against the applicant in the FIR appear to be vague and lacking in specificity. It is merely alleged in a general and omnibus manner. Additionally, the learned APP acknowledges that the investigation has concluded, a charge sheet will be filed shortly, and nothing is to be recovered or discovered from the applicant. In the circumstances, this Court is inclined to grant anticipatory bail to the applicant. Hence, the following order:

ORDER

- (i) In the event of the applicant's arrest in connection with CR No.89 of 2025, registered at Ambad Police Station, Nashik, she shall be released on bail upon executing a PR Bond of Rs.25,000/- and furnishing one or more sureties in the like amount.
- (ii) The applicant shall attend the concerned Police Station as and when required till the filing of the charge sheet.
- (iii) The applicant, herself or through any

other person, shall not indulge in any activity that may tamper with the evidence or influence witnesses.

6. The application stands disposed of accordingly.

(R.N. Laddha, J.)