



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 900/2025

ALTAF GAFUR KAZI AND ANR

...APPLICANTS

VS

STATE OF MAHARASHTRA

...RESPONDENT

...

Adv. Aniket Nikam a/w Amit Icham & Sumit Patil for the Applicant.

Adv. Supirya Kak, APP for the Respondent State.

S. R. Raut, PSI, Kondhwa Police Station Pune City.

...

CORAM : RAJESH S. PATIL, J.

DATED : APRIL 17, 2025

P.C.:

1. The applicants have submitted a request for anticipatory bail regarding C.R. No. 187/2025 from the Kondhwa Police Station in Pune. This request pertains to offenses under Sections 118(1), 118(2), 351(2), 352 r/w 3(5) of the BNS, as well as Section 4(25) of the Arms Act, and Sections 37(1), 37(3), and 135 of the MP Act.

2. Based on the complaint filed, an FIR has been lodged. The role of the present applicants has been specifically mentioned in the FIR.

3. Mr. Nikam, learned counsel for the applicants submit that the applicants are close relative to each other. The incident occurred suddenly on a dispute of water to be fetch out of a Well. Both the

parties physically fought with each other and there were injuries on the bodies of applicant nos. 1 and 2 which were inflicted due to the flows given by the first informant and his family members. There is injury certificate of applicant nos. 1 and 2, who suffered contusion. The applicant no. 1 was received 10 stitches and the applicant no.2 received 15 stitches. As far as the other side is concerned, there were injuries to Rehan Kazi and Rashid Kazi they were also taken to the hospital and they suffered stitched on their head. The applicants are ready to co-operate for investigation. Therefore, the custody of the present applicants is not necessary as the investigation is almost completed.

4. The learned APP submits that there are cross complaints between the present applicant's family and the family of the first informant. In the complaint filed by applicant no.2 against the first informant and his family members, the anticipatory bail application filed by Rashid Kazi and Riham Kazi, was rejected by the Sessions Court on 20 March 2025. As per the information of the investigating officer, as of today, no pre-arrest bail application is filed by Rashid Kazi and Riham Kazi before this Court. She submits that the custody of the present applicants would be necessary for completing the investigation.

5. Mr. Nikam seeks liberty to add the first informant as party respondent no. 2 in the present proceedings.

6. Liberty granted as prayed for. Amendment to be carried out forthwith. If the amendment is not carried out forthwith the anticipatory bail application will stand dismissed without further reference to this Court.
7. APP to serve a copy of the anticipatory bail application on the respondent no.2 through the investigating officer.
8. Stand over to **24 April 2025**, matter to come up under the caption “**for direction.**”
9. No coercive steps be taken against the applicants till the next date of hearing.

(RAJESH S. PATIL, J.)