

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1145 OF 2025

Anwar Bahadur Shaikh And Anr.	...Applicants
<i>Versus</i>	
The State of Maharashtra And Anr.	...Respondents

Ms. Shubhangi Parulekar a/w Vrunda Surve, for the Applicants.
Mr. C.D. Mali, APP, for the Respondent-State.
R.R. Bharsar, PSI, attached to Warje Malwadi Police Station, Pune,
present.

CORAM: MADHAV J. JAMDAR, J.
DATED : 09th OCTOBER 2025

PC:-

1. Heard Ms. Parulekar, learned Counsel appearing for the Applicants and Mr. Mali, learned APP appearing for the Respondent-State.

2. This Application is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (“**BNSS**”) seeking pre-arrest bail in connection with C.R. No. 60 of 2025 registered at Warje Malwadi Police Station, Pune for the offences punishable under Sections 115(2), 352, 351(2), 281, 125(A), 3(5) and 74 of

Bharatiya Nyay Sanhita, 2023 (“**BNS**”) and Section 8 of the Protection of Children from Sexual Offences Act, 2012 (“**POCSO**”).

3. It is the main submission of Ms. Parulekar, learned Counsel appearing for the Applicants i.e. Accused Nos. 2 and 3 that, all the allegations are against Accused No.1 - Akbar Shaikh, who has been arrested and granted regular bail. She submits that the present Applicants are not involved in the Crime. She further submits that in any case, the chargesheet has been filed against the present Applicants and therefore the investigation is completed. She also submitted that a learned Single Judge has granted interim protection by order dated 16th June 2025 and the said protection continues till date.

4. On the other hand Mr. Mali, learned APP strongly opposes the Anticipatory Bail Application. He submits that the offence is very serious. On instructions, he submits that the chargesheet is filed on 27th February 2025.

5. The prosecution case is set out in paragraph Nos. 2 and 3 of the order dated 19th April 2025 passed by learned Special Judge

(under POCSO Act) and Additional Sessions Judge, Pune in Criminal Bail Application No.1261 of 2025, which reads as under :-

“2. Heard advocate for applicants/accused. He submitted that, there was monetary transaction between co-accused No.1 Akbar and victim's mother. As per FIR, husband of informant and accused Akbar were doing business. Her husband died on 11/04/2022. After that she received Rs.20 lac from the company. Accused had taken the said amount by saying that, he will start business for her. However, he has not started any business. On demand of money on 11/07/2024 he outraged modesty of her daughter, aged about 9 years and given dash to the two wheeler of informant, therefore, she received an injury.

3. After that accused used to come to her house and used to abuse her under the influence of liquor. Accused Akbar was residing with his brother Anwar Shaikh and sister Rehana at Noorjahan building, Yashdeep Chowk, Warje. She went there to meet with Akbar Shaikh. At that time the present applicants/accused had beaten her daughter and pushed from staircase and threatened to kill her daughter. Therefore, she lodged report at police station”.

6. Perusal of the record shows that the main allegations are against the Accused No.1 – Akbar Shaikh. He has been released on bail. In any case the investigation is completed as the chargesheet is filed.

7. A learned Single Judge by order dated 16th June 2025 has already protected the Applicants.

8. Accordingly, the case is made out for grant of Anticipatory Bail by imposing certain conditions. In view thereof, the following order is passed:

ORDER

- (a) In the event of arrest of the Applicant No.1 - Mr. Anwar Bahadur Shaikh and Applicant No.2 - Rehana Fayyaz Shaikh in connection with C.R. No. 60 of 2025 registered with the Warje Malwadi Police Station, Pune the Applicants are directed to be released on bail on their furnishing P.R. Bond in the sum of Rs.25,000/- each with one or two solvent sureties each with in the like amount.
- (b) The Applicants shall not directly or indirectly make any inducement, threat, or promise to any person acquainted with the facts of the case so as to dissuade such a person from disclosing the facts to the Court or to any Police personnel.

- (c) The Applicants shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.
9. The Anticipatory Bail Application is disposed in above terms.

[MADHAV J. JAMDAR, J.]