

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2012 OF 2025

1. Mohammad Ali Badul Qadar Shaikh
2. Aslam Saleem Shaikh ...Applicants
V/s.
The State of Maharashtra ...Respondent.

WITH
INTERIM APPLICATION NO. 3300 OF 2025

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Adv. A. Karim Pathan a/w. Adv. Fazalur Rahman and Adv. J. Shaikh
for the Applicants.
Mrs. R.D. Humane, APP for the Respondent/State.
Mr. Abhijeet Kandarkar for the Intervenor in IA/3300/25.
API Mr. Amit B. Gote, Nizampura Police Station present.

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CORAM : N.R. BORKAR, J.
DATE : 15.09.2025.

P.C. :

1. This is an application for anticipatory bail.
2. The applicants are apprehending their arrest in Crime No.650 of 2025 registered at Nizampura Police Station, Bhiwandi for the offences punishable under Sections 132, 3(5), 74, 351(2) & 352 of the Bharatiya Nyaya Sanhita.
3. It is the case of the prosecution that the informant is working as a Gram Sevika at Gram Panchayat, Khoni, Thane. On the date of incident which took place on 23.06.2025, at about 3.30 to 4pm, the present Applicants entered the informant's cabin for the

purpose of submitting a RTI Application. The said Application was accepted upon following due procedure & the Applicants were informed that the information sought by them will be furnished within 30 days after payment of the appropriate fees. This infuriated the Applicants and they demanded that their information be furnished right away. Upon receiving an unsatisfactory response, the Applicants began threatening and abusing the informant. Thereafter, Applicant no.1 assaulted the informant in front of the entire office staff, by pushing her on her shoulder and holding her by the neck, thereby outraging her modesty. Consequently, the present FIR was registered against the Applicants.

4. I have heard the learned counsel appearing for the applicant, the learned APP for the respondent / State and learned counsel for the intervenor.

5. Learned counsel for the applicants submit that the applicants are social workers. It is submitted that on the date of alleged incident they went to the Grampanchayat office to obtain certain information. It is submitted that the FIR in question is politically motivated and lodged as a counterblast to the report lodged by the applicants against the Sarpanch of Grampanchayat. It is further submitted that the applicant No.1 is the student and applicant No.2 is in the business of selling of school uniforms. It is further submitted that there is no need of custodial interrogation as nothing is to be recovered from the applicants.

6. On the other hand, learned APP for the respondent/State and learned counsel for the intervenor submit that the applicants are involved in serious offence of outraging the modesty of the public servant. It is submitted that there are independent eye-witnesses to the incident in question. It is submitted that considering the nature of crime, the applicants may not be released on anticipatory bail.

7. I have perused the FIR. The allegations against the present applicants are of serious nature. There are independent eye-witnesses to the incident in question. Considering the overall facts and circumstances of the case, I am not inclined to entertain the present application. Hence, the Anticipatory Bail Application is rejected.

8. Interim Application is disposed of.

[N.R.BORKAR, J.]