

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2020 OF 2025

1. Sohail @ Abubakar Jubair Namakwala
2. Kaiz Mohammad Zubair Namakwala ...Applicants
V/s.
The State of Maharashtra & Anr. ...Respondents.

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Mr. Abhishek Kulkarni a/w. Mr. Sagar Wakale and Adv. R.S. Pere for the Applicants.

Mr. T.G. Khan, APP for the Respondent/State.

Mr. Milan Desai a/w. Mr. Zafar Gujar for Respondent No.2.

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CORAM : N.R. BORKAR, J.
DATE : 14.10.2025.

P.C. :

1. This is an application for anticipatory bail.
2. The applicants are apprehending their arrest in Crime No.584 of 2025 registered at Malwani Police Station for the offences punishable under Sections 109, 118(1), 189(2), 189(4), 190, 191 (2) of the Bharatiya Nyaya Sanhita, 2023.
3. It is the case of the prosecution that on 9th May 2025, a dispute arose between the first informant and his friends on one side and the present applicants and their friends on the other side, on account of damage caused to the car of the first informant's friends Faizan Siddiqui. It is alleged that during the said dispute the present applicants and other co-accused assaulted the first

informant with a knife, thereby causing grievous injuries to him with an intention to commit his murder.

4. I have heard learned counsel for the applicants, learned APP for the respondent/State and the learned counsel for the respondent No.2/first informant.

5. Learned counsel for the applicants submits that there is a delay of five days in lodging the FIR. It is submitted that the FIR in question came to be lodged as a counterblast to the FIR lodged by the relatives of the present applicants in relation to the very same incident. It is further submitted that there are no other criminal antecedents against the applicants and the applicants are ready to cooperate with the investigation.

6. On the other hand, learned APP for the respondent/State and the learned counsel for the respondent No.2/intervener submit that the applicants assaulted the first informant with a knife and attempted to commit his murder. It is submitted that the knife needs to be recovered. It is submitted that considering the nature of crime, the applicants may not be released on anticipatory bail.

7. I have perused the FIR. There appears to be delay of five days in lodging the FIR. There are no other criminal antecedents against the present applicants. Considering the facts and circumstances of the case, I am inclined to release the applicants on anticipatory bail on certain conditions. In the result the

following order is passed.

ORDER

- A) The Application is allowed.
- B) In the event of arrest of the applicants in C.R. No. 584 of 2025 registered at Malwani Police Station for the offences punishable under Sections 109, 118(1), 189(2), 189(4), 190, 191 (2) of the Bharatiya Nyaya Sanhita, 2023, they be released on bail on executing P.R. Bond in the sum of Rs.25,000/- each with one surety or two sureties in the like amount.
- C) The applicants shall attend the concerned police station as and when called by the Investigating Officer and shall cooperate in the investigation.
- D) After filing of the charge-sheet the applicants shall attend the concerned police station once in a month, i.e., on 1st Saturday between 11.00 am to 2.00 p.m. till conclusion of trial.
- E) The applicants shall not commit any other crime.
- F) The State is at liberty to file an application for cancellation of anticipatory bail, if the applicants commit breach of any of the conditions.

[N.R.BORKAR, J.]