

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2311 OF 2025

Saud Zuber Behlim
V/s.
The State of Maharashtra

...Applicant
...Respondent.

WITH
INTERIM APPLICATION NO. 3351 OF 2025

.....
Mr. Milan Desai a/w. Adv. Zafar Gujar for the Applicant in ABA/2311/25.
Mrs. R.D. Humane, APP for the Respondent/State.
Mr. Abhishek Kulkarni a/w. Mr. Sagar Wakale and Adv. R.S. Pere for the Applicant/Intervener in IA/3351/25.
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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 applicant is apprehending his arrest in Crime No. 581 of 2025 registered at Malwani Police Station for the offences punishable under Sections 118(1), 189(1), 189 (2), 190, 74, 352, 351(3), 115(2), 324(4) & 324 (5) of the Bharatiya Nyaya Sanhita, 2023.
3. It is the case of the prosecution that on the date of incident, which took place on 9th May 2025, the present applicant and other co-accused assaulted the first informant and his relative with fist and kick blows as well as with other sharp weapons on account of a dispute with regards to the damage caused to the car of the

Faizan Siddiqui, i.e. accused No.2 in the present crime. It is alleged that due to the said assault, the first informant sustained grievous injuries.

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

5. Learned counsel for the applicant submits that the applicant has nothing to do with the alleged dispute between the first informant and other co-accused. It is submitted that the applicant himself was injured in the incident in question and that he was thus required to lodge a report on the basis of which cross FIR has been registered against the first informant and other co-accused. It is submitted that there are no other criminal antecedents against the present applicant and nothing is to be recovered at his instance.

6. On the other hand, learned APP for the respondent/State and the learned counsel for the intervener/first informant submits that the present applicant was also part of the said unlawful assembly. It is submitted that the present applicant has also assaulted the first informant and his relatives by sticks and iron rod. It is submitted that considering the nature of crime, the applicant may not be released on anticipatory bail.

7. I have perused the first information report. No specific *overt-act* is attributed to the present applicant. It appears that the

applicant was also injured in the said incident and there is a cross FIR to that respect. Considering the said fact, I am inclined to release the applicant 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 applicant in C.R. No.581 of 2025 registered at Malwani Police Station for the offences punishable under Sections 118(1), 189(1), 189 (2), 190, 74, 352, 351(3), 115(2), 324(4) & 324 (5) of the Bharatiya Nyaya Sanhita, 2023, he be released on bail on executing P.R. Bond in the sum of Rs.25,000/- with one surety or two sureties in the like amount.
- C) The applicant shall attend the concerned police station once in a month, i.e., on 1st Saturday from 11.00 a.m. to 2.00 p.m. till conclusion of trial.
- D) The applicant shall not commit any other crime.
- E) The State is at liberty to file an application for cancellation of bail, if the applicant commits breach of any of the conditions.

8. In view of disposal of main application, pending Interim Application is also disposed of.

[N.R.BORKAR, J.]