

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 2312 OF 2025

Shakib Shafiq Khan & anr.

...Applicants

V/s.

The State of Maharashtra

...Respondent

Mr. M. Zarodarwala, Advocate for the Applicants.

Mr. V. N. Sagare, APP for the Respondent/State.

CORAM : N.R. BORKAR, J.
DATE : 30.09.2025.

P.C. :

1. This is an application for Anticipatory Bail.
2. The applicants are apprehending their arrest in Crime No. 561 of 2025 registered at Shivaji Nagar Police Station, for the offences punishable under Sections 109, 118(1), 308(2), 115(1), 351(3), 352 & 3(5) of the Bharatiya Nyaya Sanhita, Sections 4 & 25 of the Arms Act and Sections 37(1)(a) & 135 of the Maharashtra Police Act.
3. According to the prosecution, on the date of incident, which took place on 19.07.2025, the present applicants and other

co-accused assaulted the first informant and his brother with a sword and wooden stick and attempted to commit their murder on account of previous enmity. The allegations against the applicant No.1 are of assaulting with fist and kick blows and the allegations against applicant No.2 are of restraining the first informant by holding his hands while he was being assaulted by another co-accused.

4. I have heard the learned counsel for the applicants and the learned APP for the respondent-State.

5. The learned counsel for the applicants submits that there is a cross FIR in relation to very same incident. It is submitted that there are no other criminal antecedents against the applicants. It is submitted that the applicants are ready to co-operate in the investigation. The learned counsel for the applicants submits that injury caused to the first informant is not attributed to the present applicants.

6. On the other hand, the learned APP for the respondent-State submits that considering the nature of crime the applicants

may not be released on anticipatory bail.

7. I have perused the FIR. The grievous injury sustained by the first informant is not attributed to the present applicants. There are no other criminal antecedents. Considering these facts, I am inclined to release the applicants on anticipatory bail. In the result, the following order is passed :

ORDER

- a) The Application is allowed.
- b) In the event of arrests of the applicants in connection with Crime No. 561 of 2025 registered at Shivaji Nagar Police Station, for the offences punishable under Sections 109, 118(1), 308(2), 115(1), 351(3), 352 & 3(5) of the Bharatiya Nyaya Sanhita, Sections 4 & 25 of the Arms Act and Sections 37(1)(a) & 135 of the Maharashtra Police Act, the applicants be released on bail on furnishing P.R. Bond in the sum of Rs. 25,000/- each with one 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 co-operate in the investigation.

d) The applicants shall not commit any other crime.

[N.R.BORKAR, J.]