

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2542 OF 2025**

Anwar S/o Abdulgani Sayyed	...Applicant
<i>Versus</i>	
State of Maharashtra	...Respondent

**WITH
INTERIM APPLICATION NO.3460 OF 2025
IN
ANTICIPATORY BAIL APPLICATION NO.2542 OF 2025**

Mohin Rafik Sayyed	...Applicant
<i>Versus</i>	
State of Maharashtra	...Respondent

**Alongwith
ANTICIPATORY BAIL APPLICATION NO. 3162 NO. 2025**

Firoj Rajjak Sayyad And Anr	...Applicants
<i>Versus</i>	
State of Maharashtra	...Respondent

Mr. S.S. Kazi (through VC) for Applicant in both ABAs.
Mr. A.R. Metkari, APP for the State in ABA 2542 of 2025.
Ms. S.K. Gajre, APP for the State in ABA 3162 of 2025
Mr. Narayan Rokade a/w Mr. Ramchandra Wagh for Intervenor.

**CORAM: MADHAV J. JAMDAR, J.
DATED : 4th December 2025**

P.C.:

1. Heard Mr. Kazi, learned Counsel appearing for the Applicants, Mr. Narayan Rokade for Respondent No.2-Intervenor

and Mr. Metkari, learned APP and Ms. Gajre, learned APP for the State.

2. By these Applications filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (“BNSS”), the Applicants are seeking pre-arrest bail in connection with C.R. No.238 of 2025 registered with Pimpalgaon Police Station, Nashik Rural, for the offences punishable under Sections 118(2), 351(2), 352, 189(1), 189(2), 190, 191(2), 191(3) of the Bharatiya Nyaya Sanhita, 2023 (“BNS”) and under Sections 37(1), 37(3) and 135 of the Maharashtra Police Act, 1951.

3. As far as ABA No. 2542 of 2025 is concerned, the same was already withdrawn, as Applicant - Anwar Abdulgani Sayyed (Accused No.3) was arrested.

4. At the outset, Mr. Kazi, learned Counsel for the Applicant No.1- Firoz Rajjak Sayyad (Accused No.4) in ABA No. 3162 of 2025 seeks withdrawal of the Anticipatory Bail Application as far as Applicant No.1 - Firoj Rajjak Sayyad is concerned. Thus, Anticipatory Bail Application No. 3162 of 2025 is allowed to be

withdrawn and dismissed as such only as regards Applicant No.1 - Firoj Rajjak Sayyad.

5. Thus, Mr. Kazi, learned counsel submits that he is pressing these Anticipatory bail Applications as far as Applicant No.2 to 6 in ABA No. 2542 of 2025 i.e. Accused Nos. 5, 6, 7, 8, and 10 and Applicant No.2 in ABA No. 3162 i.e. Accused No. 9 is concerned.

6. It is the submission of Mr. Kazi, learned Counsel for the Applicant that even as per the prosecution case, these Applicants, were merely present when the incident took place. He submits that as far as Accused No. 9 – Irphan Subhan Sayyed is concerned, the only role attributed to him is that he assaulted the injured with stick. He submits that the injured are cousin brothers and there is dispute concerning agricultural land and construction of marriage hall is pending between the parties.

7. On the other hand, Mr. Metkari, learned APP and Ms. Gajre, learned APP as also Mr. Rokade, learned Counsel for the Intervenor strongly opposes the Applications. All of them submit that the offence is very serious and grievous injuries are inflicted on the

First Informant as also other injured. Therefore, they submit that the Anticipatory Bail Application be rejected.

8. Perusal of the record shows that the incident in question has taken place on the spur of moment. As far as Accused No.1 – Subhan Sardar, Accused No. 2- Asif Rajjak Sayyed and Accused No. 3- Anwar Gani Sayyed, who have major role to play in the incident have already been arrested. The Applicant i.e. Accused No. 4 – Phiroz Rajjak Sayyed who has assaulted injured by iron rod., his Anticipatory Bail Application is already withdrawn by the learned Counsel for the Applicant, on instructions.

9. As far as role of other Applicants is concerned, they were merely present at the site. As far as Irphan Subhan Sayyed is concerned, as per the prosecution case, he has assaulted injured Inayat Sayyed by stick. There are no other antecedents.

10. For the above reasons the case is made out for grant of anticipatory bail to Accused Nos. 5 to 10 in C.R. No. 238 of 2025.

11. Accordingly, following Order is passed:

ORDER

- (i) In the event of arrest, the Applicants (Accused Nos. 5 to 10) i.e. Kaif Asif Sayyed, Ajhar Subhan Sayyed, Munwar Abdulgani Sayyed, Rajak Sardar Sayyed, Irphan Subhan Sayyed and Sarvar Abdulgani Sayyed be released on bail in C.R.No.238 of 2025 registered with Pimpalgaon Police Station, Nashik Rural, on executing PR. bond of Rs.10,000/- each and furnishing one or two sureties each in the like amount.
- (ii) The Applicants shall attend the concerned Police Station as and when called by the Police and shall co-operate with the investigation.
- (iii) The Applicants shall furnish their cell phone numbers and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.
- (iv) 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.

(v) The Applicants shall not leave India without prior permission of the Court.

(vi) The Applicants shall not tamper with the prosecution evidence and shall not contact or influence the Complainant, or any witness, in any manner.

12. The Anticipatory Bail Application is allowed and disposed of accordingly.

13. In view of disposal of the Anticipatory Bail Application, nothing survives in the Interim Application and same is also disposed of.

(MADHAV J. JAMDAR, J.)