

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

ANTICIPATORY BAIL APPLICATION NO.3195 OF 2025

Aliyan Nasir Khan @ Abbas	... Applicant
V/s.	
The State of Maharashtra	... Respondent

Mr. Fahim Shaikh a/w Nargis Khan for the Applicant.
 Mr. V. N. Sagare, APP for the Respondent-State.
 PI Mousami Patil, IO, PSI Pradeep Shinde, Pairavi, RFC PS are present.

CORAM : N.R. BORKAR, J.
DATE : 21ST NOVEMBER 2025

PC. :

1. This is an Application for anticipatory bail.

2. The Applicant is apprehending his arrest in Crime No.363 of 2025 registered with R.C.F. Police Station for the offences punishable under Sections 111, 115(2), 311 of the Bharatiya Nyaya Sanhita, 2023 and under Sections 4, 25 of the Indian Arms Act, 1959 and under Sections 37(1)(A), 135 of the Maharashtra Police Act, 1951.

3. It is the case of the prosecution that on the date of the incident, which took place on 27th June 2025, the present Applicant along with other co-accused assaulted the first informant and his friends by sword and attempted to commit their murder.

4. I have heard Learned Counsel for the Applicant and Learned APP for the Respondent-State.

5. Learned Counsel for the Applicant submits that the Applicant has nothing to do with the alleged crime. It is submitted that the alleged act of assault by sword is attributed to the co-accused Arman. It is further submitted that nothing is to be recovered at the instance of the Applicant and therefore there is no need of custodial interrogation. It is further submitted that there are no criminal antecedents against the Applicant. Learned Counsel for the Applicant submits that the Applicant, without prejudice to his rights and contentions, is ready and willing to pay Rs.10,000/- to the injured Faizan Ansari and Fardeen Shaikh, i.e., Rs.5000/- to each of the them towards medical expenses.

6. Learned APP for the Respondent-State submits that the Applicant is involved in a serious case of attempt to murder. It is submitted that the Applicant was part of the unlawful assembly. It is further submitted that considering the nature of the crime, the Applicant may not be released on anticipatory bail.

7. I have perused the FIR. It appears that at the time of alleged incident, the Applicant was not armed with any weapon. The alleged injuries caused to the injured Faizan Ansari and Fardeen Shaikh are not attributed to the present applicant. There are no other criminal antecedents against the Applicant. In that view of the matter, I am inclined to release the Applicant on anticipatory bail. Hence, the following order:-

ORDER

- i. The Anticipatory Bail Application is allowed.

- ii. In the event of the arrest of the Applicant in Crime No.363 of 2025 registered with R.C.F. Police Station for the offences punishable under Sections 111, 115(2), 311 of the Bharatiya Nyaya Sanhita, 2023 and under Sections 4, 25 of the Indian Arms Act, 1959 and under Sections 37(1)(A), 135 of the Maharashtra Police Act, 1951, he shall be released on bail on furnishing a PR Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one or two sureties in the like amount.
- iii. The Applicant shall attend the concerned Police Station as and when called for by the investigating officer and shall co-operate in the investigation.
- iv. The Applicant shall pay Rs.10,000/- to the injured Faizan Ansari and Fardeen Shaikh, i.e, Rs.5000/- to each of them within a period of four weeks from today.

8. The Anticipatory Bail Application is disposed of in the aforesaid terms.

(N.R. BORKAR, J.)