

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.3327 OF 2025

Sayyed Ehtesham Alam	...Applicant
<i>Versus</i>	
State of Maharashtra	...Respondent

ALONGWITH
ANTICIPATORY BAIL APPLICATION NO.3333 OF 2025

Mr. Noman Rashid Shaikh	...Applicant
<i>Versus</i>	
State of Maharashtra	...Respondent

Mr. Kulsum Shah i/by Mr. Khalid Gujjar, Advocate for Applicant.
Ms. S.K. Gajre, APP for the State.
API, Mr. Bagul, Ambad Police Station, Nashik City present.

CORAM: MADHAV J. JAMDAR, J.
DATED : 3rd December 2025

P.C.:

1. Heard Mr. Shah, learned Counsel appearing for the Applicants and Ms. Gajre, learned APP appearing for the State.

2. By these Applications filed under Sections 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ("BNSS"), the Applicants are seeking pre-arrest bail in connection with in C.R. No.225 of 2025 registered with Ambad Police Station, Nashik City,

for the offences punishable under Sections 352, 351(2), 3(5), 118(1) and 115 of the Bharatiya Nyaya Sanhita, 2023 (“BNS”).

3. As per the prosecution case, there was some altercation which took place between the First Informant’s cousin- Jaid Anjumhussain Siddhiqui on one hand and Baddruddin Shaikh on the other hand. The First Informant intervened in the said incident, which took place on 21st March 2025 at about 3.00 p.m. and resolved the said dispute. As the Accused were angry with the First Informant due to his intervention in the said dispute, the First Informant and his relatives namely Imran Hussain and Ajhar Hussain were assaulted by Accused. As far as the role of the present Applicants i.e. Accused No. 2 and 3 are concerned, they assaulted the First Informant with iron rod.

4. Ms. Gajre, learned APP strongly opposes the Applications. She submits that the offence is very serious and that the custodial interrogation is necessary. The iron rod is yet to be recovered. However, on instructions, she states that the Applicants have no other antecedents.

5. Perusal of record shows that the incident in question took place due to previous incident, which has taken place on 21st March 2025 at 3.00 p.m. where the First Informant has intervened and because of his intervention, the dispute between his cousin brother and others was not escalated further. Although, it is correct that as per the prosecution case, the Applicants have assaulted the First Informant with iron rod and the injury is grievous, however there are no other antecedents. The Applicants and the First Informant are the friends and the offence took place in view of the earlier incident.

6. Accordingly, by imposing stringent conditions, Anticipatory Bail Application can be granted. Hence, following Order is passed:

ORDER

- (i) In the event of arrest, the Applicant- Sayyed Ehtesham Alam in ABA No.3327 of 2025 and the Applicant- Noman Rashid Shaikh in ABA No.3333 of 2025, be released on bail in C.R.No.225 of 2025 registered with Ambad Police Station, Nashik City, on executing P.R.

bond of Rs.50,000/- and furnishing one or two sureties in the like amount.

- (ii) The Applicants shall attend the concerned Police Station on 10th December 2025, 11th December 2025 and 12th December 2025 between 11.00 a.m. to 2.00 p.m. and thereafter once in a week i.e. on every Sunday, between 11.00 a.m. to 1.00 p.m. till filing of the Charge-sheet 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.

7. The Anticipatory Bail Applications are allowed and disposed of accordingly.

BHALCHANDRA
GOPAL DUSANE

(MADHAV J. JAMDAR, J.)

Digitally signed by
BHALCHANDRA
GOPAL DUSANE
Date: 2025.12.08
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