

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 3342 OF 2025

Faiz Mohd. Kalim Shaikh
V/s. ...Applicant
The State of Maharashtra ...Respondent.

Ms Jyoti Shahu for the Applicant.
Mr. R.M.Pethe, APP for the Respondent/State.
PI Hanmant Oulkar, Mankurd Police Station is present.

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CORAM : N.R. BORKAR, J.
DATE : 05.12.2025.

P.C. :

1. This is an application for anticipatory bail.
2. The applicant is apprehending his arrest in Crime No. 394 of 2025 registered at Mankhurd Police Station for the offences punishable under Sections 352, 351(2), 115(2), 118(1), 191(2), 190, 189(2), 189(1), 140(3), 309(6) of Bharatiya Nyaya Sanhita, 2023.
3. According to the prosecution, on the date of incident which took place on 17th July 2025 at about 10 pm, the present applicant and other co-accused abducted the first informant and assaulted him with sticks as they were suspecting that the first informant had given information about their illegal activities to the police. Accordingly, the present crime was registered.
4. I have heard the learned counsel appearing for the applicant and the 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 in the petition filed by the present applicant and other co-accused for quashing of the FIR, the first informant has consented for quashing of the FIR. It is submitted that nothing is to be recovered at the instance of the applicant and therefore, there is no need of custodial interrogation.

6. On the other hand, learned APP for the respondent /State submits that specific overt-act is attributed to the present applicant in the crime in-question. It is submitted that considering the nature of crime, the applicant may not be released on anticipatory bail.

7. Though the allegations are of assault by stick, during medical examination of the first informant no external injuries were found on his person. Considering the overall facts and circumstances of the case, I am inclined to release the applicant on anticipatory bail. 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. 394 of 2025 registered at Mankhurd Police Station for the offences punishable under Sections 352, 351(2), 115(2), 118(1), 191(2), 190, 189(2), 189(1), 140(3), 309(6) of 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.

[N.R.BORKAR, J.]