

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 3436 OF 2025

Mohammad Asif Mohammad
Husen Chaudhari
V/s.
The State of Maharashtra

...Applicant
...Respondent.

.....

Mr. Tanveer J. Farooqui for the Applicant.
Mr. P.H. Gaikwad, APP for the Respondent/State.
PSI Krushna G. Kawade, Bangur Nagar Police Station is present.

.....

CORAM : N.R. BORKAR, J.
DATE : 15.12.2025.

P.C. :

1. This is an application for anticipatory bail.
2. The applicant is apprehending his arrest in Crime No. 570 of 2025 registered at Bangur Nagar Police Station for the offences punishable under Sections 118(1), 115(2), 353 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.
3. According to the prosecution, on the date of incident which took place on 25th October 2025, a dispute arose between the present applicant and the first informant on some trivial issue. It is alleged that during the said dispute the present applicant assaulted the first informant with an iron rod, resulting in the first informant sustaining grievous injuries.

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 incident was not premeditated. It is submitted that there are no other criminal antecedents against the applicant. Learned counsel for the applicant, on instructions, submits that the applicant, without prejudice to his rights, is ready and willing to pay Rs.30,000/- to the first informant towards medical expenses.

6. On the other hand, learned APP for the respondent/State submits that the applicant has assaulted the first informant with an iron rod. It is submitted that custodial interrogation of the applicant is necessary to recover the said weapon. It is submitted that considering the nature of crime, the applicant may not be released on anticipatory bail.

7. I have perused the first information report. *Prima facie*, the alleged incident does not appear to be premeditated. 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. 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.570 of 2025 registered at Bangur Nagar Police Station for the

offences punishable under Sections 118(1), 115(2), 353 and 3(5) of the 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.

C) The applicant shall attend the concerned police station as and when called by the Investigating Officer and shall cooperate in the investigation.

D) The applicant shall hand over demand draft of Rs.30,000/- to the Investigating Officer within a period of three weeks, who in turn, shall hand over the said Demand Draft to the first informant.

[N.R.BORKAR, J.]