

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

ANTICIPATORY BAIL APPLICATION NO.3455 OF 2025

Aysha Bee Mohammad Zakir ... Applicant

V/s.

The State of Maharashtra ... Respondent

Mr. Manoj R. Gowd for the Applicant.

Ms. Rutuja Ambekar, APP for the Respondent-State.

PI Vijay Garud, IO, PSI Nitin Palande, Trombay PS are present.

CORAM : N.R. BORKAR, J.

DATE : 16TH DECEMBER 2025

P.C. :

1. This is an Application for anticipatory bail.
2. The Applicant is apprehending her arrest in Crime No.285 of 2025 registered with Trombay Police Station for the offences punishable under Sections 95, 109, 351(3), 352, 3(5), 61(2) of the Bharatiya Nyaya Sanhita, 2023 and Sections 37(1)(a), 135 of the Maharashtra Police Act.
3. According to the prosecution, on the date of incident, which took place on 01st June 2025, at about 11.00 p.m., the co-accused in the present crime allegedly assaulted the injured Mohammad Ibrahim Shah with a knife and attempted to commit his murder over some trivial dispute between them. The allegations against the present Applicant are of instigation and abetting the said crime.
4. I have heard Learned Counsel for the Applicant and Learned APP for the Respondent-State.

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5. Learned Counsel for the Applicant submits that with some ulterior motive, the name of the present Applicant came to be implicated in the crime in question. It is submitted that there is no need of custodial interrogation as the prosecution has already filed chargesheet.

6. On the other hand, Learned APP for the Respondent-State submits that the present Applicant instigated the other co-accused to assault the injured. It is submitted that the Applicant is involved in one more crime for the offence punishable under Section 326 of the IPC. It is submitted that considering the nature of crime, the Applicant may not be released on anticipatory bail.

7. I have perused the FIR. There is no reference of the Applicant in the FIR. For the first time, the witness Farzana Solanki in her statement recorded on 05th June 2025 has stated that the present Applicant instigated the co-accused to assault the injured. The prosecution has already filed the chargesheet. Considering the overall facts and circumstances of the case, 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.285 of 2025 registered with Trombay Police Station for the offences punishable under Sections 95, 109, 351(3), 352, 3(5), 61(2) of the Bharatiya Nyaya Sanhita, 2023 and Sections 37(1)(a), 135 of the Maharashtra Police Act, she 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 not enter into the jurisdiction of Trombay Police Station for a period of one year.
 - iv. The Applicant shall not commit any other crime.
8. The Anticipatory Bail Application is disposed of in the aforesaid terms.

(N.R. BORKAR, J.)