



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,  
NAGPUR BENCH, NAGPUR.**

**CRIMINAL APPLICATION (BA) NO.799 OF 2025**  
(Sheikh Salman s/o Abdul Alim vs. State of Maharashtra)

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Office Notes, Office Memoranda of  
Coram, appearances, Court's Orders  
or directions and Registrar's order

Court's or Judge's Order

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Shri Syed Salman Ali, Advocate for the applicant.  
Shri Neeraj Jawade, APP for the State.

**CORAM:- URMILA JOSHI-PHALKE, J.**  
**DATED :- AUGUST 11, 2025.**

The applicant came to be arrested on 11.06.2025 in connection with Crime No.454/2025 registered with Police Station Kapil Nagar, District Nagpur for the offences punishable under Sections 109, 115(2), 126(2), 189(2), 189(3), 190, 191(2), 191(3), 351(2), 352 of the Bharatiya Nyaya Sanhita.

2. The crime is registered on the basis of report lodged on an allegation that the complainant Ayaz was proceeding on 08/06/2025 at about 9:30 pm from Koradi to Kapil Nagar along with his one friend namely Bhushan Chaudhary. When they were proceeding, the driver of one Activa 6G vehicle was driving the vehicle in a rash and negligent manner and gave a dash to the vehicle of the complainant. The friend of the complainant asked the driver of the vehicle to drive the vehicle properly on which the accused persons abused the complainant and his friend in a filthy language and showed the knife which

they were carrying. Thereafter, those 2 persons who were riding the Aactiva vehicle once again came and blocked the way and assaulted by means of kicks and fist blows and gave a blow of a knife on his person repeatedly. On the basis of the said report, police have registered a crime against the present applicant.

3. Learned Counsel for the applicant submitted that the applicant is arraigned as an accused No.6. No allegation is levelled against him as to the assault by knife. Mere his presence is not sufficient to connect him with the alleged offence. Now, investigation is progressed. As far as the role of the present applicant is concerned which is not vital role. In view of that, he be released on bail.

4. Learned APP strongly opposed the application and submitted that in pursuance of the common intention the act was committed by the other co-accused. He fairly admitted that as far as present applicant is concerned he is not assigned with a role of assault by means of knife and no overt act is attributed to him.

5. On hearing learned Counsel for both the sides and on the basis of the said submissions and on considering the investigation papers it reveals that the vital role is attributed to the co-accused. As far as the present applicant is concerned only allegation that he has assaulted by means of fist blows. Considering now

investigation is already in progressed and the co-accused is already arrested who was assigned with the role of assault by knife. Considering the same, the applicant has made out a case for grant of bail. Accordingly, I proceed to pass the following order:

(i) The application is allowed.

(ii) The applicant – Sheikh Salman s/o Abdul Alim in connection with Crime No.454/2025 registered with Police Station Kapil Nagar, District Nagpur for the offences punishable under Sections 109, 115(2), 126(2), 189(2), 189(3), 190, 191(2), 191(3), 351(2), 352 of the Bhartiya Nyaya Sanhita, be released on bail, on executing PR. Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.

(iii) The applicant shall attend the concerned police station as and when required for the investigation purpose, on issuing notice in advance of 3 days and shall cooperate with the investigating agency.

(iv) The applicant shall attend the proceedings before the Trial Court without seeking any exemption unless there are exceptional circumstances.

(v) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case either personally or by way of electronic media.

6. The contravention of any of the condition would lead to the cancellation of bail.

7. The application stands disposed of.

**(URMILA JOSHI-PHALKE, J.)**

*\*Divya*