



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION(ABA) NO. 748 OF 2025

Haji Ejaz Ahmed Nisar Ahemad Vs. State of Maharashtra

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. Mohd. Naveed Opai, counsel for the applicant.
Ms.Mrunal Barabde,APP for the State.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATE : 16/10/2025

1) The applicant has apprehension of arrest in Crime No. 335 of 2025, registered with Police Station Ganesh Peth Nagpur city for the offence punishable under Sections 308(2), 309(6) and 351(3) of the Bharatiya Nyaya Sanhita ,2023.

2) It is the case of the prosecution that on 07.08.2025 at 7.00 hrs. the informant victim namely Abdul Naved Abdul Javed was proceeding to go to Chhindwada along with one Ayan Khan and Sheikh Aasif. At the time of the incident, when they were taking tea on a tea-stall in front of the hotel Rajdhani, the applicant along with another co-accused Sheikh Azhar Sheikh Mazhar came there on

moped and asked for money to the informant for consuming liquor. On refusal to give money, both accused tried to snatch money forcibly from the pocket of shirt of the informant. In view of the resistance on the part of the informant, both accused assaulted him by giving fists blows and forcibly snatched Rs.16,000/- from the pocket of his pant. Both accused also threatened to kill the companions of the informant when they came for his rescue. At the same time, accused No.3 also came there in his auto and pressed the neck of the informant by issuing threats to kill him. Co-accused Sheikh Azhar also tried to assault the informant by means of knife when the informant requested them to return back his money. Co-accused Sheikh Azhar also threatened to the informant by saying he is earning huge money in the vehicle business, therefore, from today the informant would have to pay Rs.10,000/- everyday from each of the sold vehicle. The informant therefore, fled away from there from the clutches of all those accused persons and lodged the complaint.

3) The learned counsel for the applicant has stated that there are three accused in this case. The allegations are against accused Nos.1 and 3. He has drawn my attention to the order passed by the trial Court, wherein the first informant has filed the application that he had no grievance against this applicant and he has not snatched the amount of

Rs.16,000/- and have no objection to protect him by granting anticipatory bail. As the informant himself have no grievance against this applicant therefore prayed to protect him by granting anticipatory bail.

4) Learned APP opposed the application and stated that allegations about extortion are made against all the three persons. They tried to assault informant. From the application, it reveals that the applicant tried to tamper the prosecution witnesses at the stage of granting bail as the informant himself appeared before the trial court and gave no objection for protecting the applicant. Hence prayed to reject the application.

5) Heard both the sides and perused the record.

6) The applicant has filed this application for grant of anticipatory bail. The allegations about extortion are there. The first informant, who has made the allegations has given in writing before the trial court that he had no grievance against this applicant and this applicant has not extorted the amount from his pocket. As the first informant himself have no grievance against this applicant, the custodial interrogation of this applicant is not required. Hence, the application is allowed and the applicant is protected by granting anticipatory bail.

7) Hence, the following order:

i] It is directed that in the event of arrest of the applicant- Haji Ejaz Ahmed Nisar Ahemad in connection with Crime No.335 of 2025, registered with Police Station Ganesh Peth Nagpur city for the offence punishable under Sections 308(2), 309(6) and 351(3) of the Bharatiya Nyaya Sanhita, 2023 shall be released on bail on furnishing PR. Bond in the sum of Rupees Twenty Five Thousand each with one surety in the like amount.

ii] The applicant shall not in any way tamper with the prosecution evidence.

iii] The applicant shall not pressurize or threaten the prosecution witnesses.

iv] The applicant shall attend the concerned police station on every Friday and Saturday between 2:00 p.m. and 3:00 p.m.

v] The applicant shall co-operate the investigating officer.

Application stands disposed of.

JUDGE