



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

CRIMINAL APPLICATION (ABA) NO.817/2025

(Sabir Ali Shahadat Ali and another Vs. State of Maharashtra, through Police Station Officer, Police Station Akot, Tah. Akot, District Akola)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. U.J. Deshpande, Advocate for the applicants.
Mr. A.M. Kadukar, A.P.P. for the non-applicant/State.

CORAM: MRS.VRUSHALI V. JOSHI, J.
DATED: 19.11.2025.

The applicant is apprehending arrest in Crime No.411/2025 for the offence punishable under Sections 3(5), 352, 351(2), 115(2), 118(1) and (2) of the Bhartiya Nyaya Sanhita.

2. It is the case of prosecution that there was a dispute between the neighbours who are relatives of each other for the parking area in front of their house. The quarrel took place and both the families assaulted each other. Same crimes are registered against both the families.

3. The learned Advocate for the applicants has stated that one of the assailants is already taken in custody and released on regular bail. The F.I.R. registered by this applicant's family is earlier in point of time. The first informant is also taken in custody and is released on bail. In both the cases medical papers show that the grievous hurt is there. As counter F.I.Rs. are there, custodial interrogation is not necessary. Hence, prayed to protect the applicants by granting anticipatory bail.

4. The learned A.P.P. opposed the application stating that though the counter F.I.Rs. are there, in the crime registered against the first informant, all the accused persons were taken in custody and were released on bail. In this case, the accused No.2 has used stick and the custody is required to recover the said stick and iron rod and as the custodial interrogation is necessary, prayed to reject the application.

5. Heard both sides and perused the record.

6. It appears from the record that there was a dispute between two families. They are neighbours and relatives of each others. Same crime is registered against the other co-accused. The allegations about the assault by stick and iron rod are there. Same offences are registered against both the families. One of the accused is taken in custody and released on regular bail and the applicants were also grievously hurt. Considering the stage of investigation and as the counter F.I.Rs. are registered against each others, the custody of this applicant, at the most, is required only to recover weapons which are used in the crime.

i) It is directed that in the event of arrest of the applicants- Sabir Ali Shahadat Ali and Alim Ali S/o Sabir Ali, in connection with Crime No.411/2025 for the offence punishable under Sections 3(5), 352, 351(2), 115(2), 118(1) and (2) of the Bhartiya Nyaya Sanhita, the applicants shall be released on bail on furnishing P.R. Bond in the sum of Rupees Twenty Five Thousand each with one solvent surety in the like amount.

ii) The applicants shall not in any way tamper with the prosecution evidence.

- iii) The applicants shall not pressurize or threaten the prosecution witnesses.
 - iv) The applicants shall attend the concerned police station and shall co-operate with the Investigating Officer for recovery of weapons.
 - vi) The applicants to stay outside the area where the first informant is staying till the filing of the charge sheet.
7. The application is allowed and disposed of.

(MRS.VRUSHALI V.JOSHI, J.)