IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

50 ANTICIPATORY BAIL APPLICATION NO. 1745 OF 2026

Aslam Gulam Nabi Qureshi
Versus
The State Of Maharashtra

Mr. G. R. Syed, Advocate for Applicant
Mr. S. B. Narwade, APP for Respondent/State
Mr. D. S. Patil, Advocate for Informant

CORAM : R.M. JOSHI, J
DATE : OCTOBER 05, 2026

P. C. :

1. Applicant apprehends arrest in connection with C.R. No. 302/2026 registered with Police Station Paithan, District Chhatrapati Sambhajinagar for the offences punishable under Sections 189(2), 191(3), 190, 118(2), 118(1), 115, 324(1), 352, 351(3) of the Bharatiya Nyaya Sanhita, 2023.

2. First information report indicates that an incident had occurred on 02.08.2026 at about 03.00 to 03.15 pm in which the informant and witnesses were assaulted by the Applicant and co-accused. There is allegation against the present Applicant that he used an axe to caused injury to the witness Rizwan on his head.

3. Learned Counsel for the Applicant submits that in respect of the same incident, two different reports came to be lodged and considering the

counter reports, the possibility of over implication exists. It is his submission that though there is allegation against the Applicant of he using axe to cause assault, the injury certificate does not correspond to the same. It is his submission that the Applicant has no criminal history and in absence of any serious offence being attributed against him, his liberty deserves to be protected. He makes statement that he will cooperate in the investigation in case he is granted pre-arrest bail.

4. Learned APP and learned Counsel for Informant opposed grant of any protection to the Applicant by referring to the allegations against him in the first information report. Learned Counsel for the Informant raises apprehension with regard to tampering of evidence and pressurizing of witnesses in case Applicant granted pre-arrest bail.

In response thereof, learned Counsel for the Applicant, on instructions, makes statement that Applicant will not enter the jurisdiction of concerned police station till filing of the charge-sheet.

5. Prima facie perusal of the record indicates that there are counter reports in respect of the incident occurred on 01.08.2026. There is allegation against the Applicant of using an axe for causing assault on witness Rizwan. Perusal of the injury certificate indicates that simple injuries were caused to Rizwan. Admittedly, offence punishable under Section 109 of the Bharatiya Nyaya Sanhita is not made applicable to the present case.

Applicant has no criminal history. Appropriate direction to Applicant to cooperate in the investigation will be sufficient for effective investigation. The statement made by the Counsel for the Applicant takes care of the apprehension of the Informant. Hence, the order:

O R D E R

(i) Anticipatory Bail Application is allowed.

(ii) In the event of arrest of the Applicant in connection with C.R. No. 302/2026 registered with Police Station Paithan, District Chhatrapati Sambhajinagar for the offences punishable under Sections 189(2), 191(3), 190, 118(2), 118(1), 115, 324(1), 352, 351(3) of the Bharatiya Nyaya Sanhita, 2023, he shall be released on bail on furnishing PR bond of Rs. 15,000 (Rupees Fifteen Thousand Only) with one surety in the like amount.

(iii) As undertaken, he shall not enter the jurisdiction of concerned police station till filing of the charge-sheet, except attending police station.

(iv) He shall attend the concerned police station on 09th and 12th October, 2026 and thereafter as and when required upon written intimation by IO.

(iv) He shall not contact the witnesses directly or indirectly.

(v) He shall not interfere with the evidence in any manner whatsoever.

(vi) He is further directed to cooperate the investigating agency for further investigation.

(R. M. JOSHI, J.)

Malani