IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 2101 OF 2026

1. Lukman Mainoddin Shaikh
2. Mujib S/o. Sharif Shaikh ... Applicants

Versus

1. The State of Maharashtra
2. Rahim S/o. Ahmed Shaikh ... Respondents

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Mr. Rajendra G. Hange, Advocate for Applicant
Mr. D.J. Patil, APP for Respondent – State
Mr. A. R. Lukhe, Advocate for Respondent No.2.

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CORAM : HITEN S. VENEGAVKAR, J.

DATED : 3rd NOVEMBER, 2026

PER COURT :

1. Heard the learned Advocate for the applicant and the learned APP for the respondent – State. Learned Advocate Mr. Lukhe also appears on behalf of the respondent No.2 – informant.

2. The present application is filed by the applicants, who are arraigned as accused in Crime No.250 of 2026, registered with Gondi Police Station, Dist. Jalna for offences punishable under Sections 109(1), 115(2), 118(2), 189(2), 190, 191(2), 191(3), 324(4) and 352 of the Bharatiya Nyaya Sanhita, 2023, and Sections 4 and 25 of the Arms Act. The applicants are arrested on

21.09.2026 and since then they are in custody.

3. Learned Advocate appearing for the applicants at the outset submits that as this Court is not inclined to grant bail to applicant No.1 Lukman, he has instructions to withdraw the same with liberty to file a fresh application before the learned Trial Court after the charge-sheet is filed. The prayer made by the learned Advocate for the applicant is accepted. Application of applicant No.1 Lukman is dismissed as withdrawn with liberty to file fresh application before the Trial Court after charge-sheet is filed.

4. The prosecution case, in short, is that the injured witness Ashfaq, who is a journalist, has been repeatedly threatened and abused by the applicant and the other co-accused persons on account of their apprehension that he will publish some news against them in the newspaper. The incident of abuses went on for some time. On the date of incident, the applicant along with the other accused persons reached the house of the injured witness and the informant. After having initial dialogue, the applicant along with the other accused persons, who were armed with sword, iron rods and stick started assaulting the informant and the injured Ashfaq. In the said assault, the injured informant sustained three injuries of which two are simple in nature and one grievous

injury, while the injured witness Ashfaq suffered two injuries which are simple in nature. The grievous injury in the FIR itself has been attributed by the informant to the present applicant Lukman. The role attributed to the applicant No.2 is assault either by fist and blow or by stick. As there is common allegation made against the accused persons assaulting with kick and blow and stick, the name of applicant No.2 is being taken only in the said assault. The applicant No.2 is not shown to be equipped with any kind of weapon and the injury is not to the vital part of the body at the behalf of applicant no.2.

5. Taking into consideration the role assigned to applicant no.2 and the date on which the applicant being arrested on 21.09.2026, I am inclined to allow application for applicant No.2 onliy. Hence, the following order :

ORDER

(i) Application of applicant No.1 Lukman is dismissed as withdrawn with liberty to file fresh application before the Trial Court after filing of charge-sheet.

(ii) The Bail Application is allowed in respect of applicant No.2 Mujib.

(iii) The applicant No.2 Mujib S/o. Sharif Shaikh, shall be released on bail in Crime No.250 of 2026, registered with Gondi

Police Station, Dist. Jalna for offences punishable under Sections 109(1), 115(2), 118(2), 189(2), 190, 191(2), 191(3), 324(4) and 352 of the Bharatiya Nyaya Sanhita, 2023, and Sections 4 and 25 of the Arms Act, on furnishing a personal bond of Rs.50,000/- (Rupees Fifty Thousand only) with one or two solvent sureties in the like amount, subject to the following conditions :

a) The applicant shall attend the trial Court on every date fixed, unless his attendance is specifically exempted.

b) The applicant shall not, directly or indirectly, contact, threaten, induce or influence the informant or any prosecution witness and shall not tamper with the prosecution evidence.

c) The applicant shall furnish his current residential address and mobile number to the Investigating Officer and the trial Court within seven days of release, intimate any change forthwith, and attend the Investigating Officer upon prior written notice if further investigation is required.

d) The applicant shall not involve himself in any offence of a similar nature while on bail.

e) Breach of any of the above conditions shall entitle the prosecution to apply for cancellation of bail.

(iv) All observations in this order are prima facie and confined to the decision of this bail application. The trial Court shall decide the case independently on the evidence led before it.

(v) The Bail Application is disposed of in the above terms.

(HITEN S. VENEGAVKAR)
JUDGE

Tandale