



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

947 BAIL APPLICATION NO. 2500 OF 2025

Asif Alias Nahnya Anis SayyedApplicant

VERSUS

The State of MaharashtraRespondent

Mrs. S. G. Sonawane, Advocate for Applicant.
Mr. D. B. Bhange, APP for the State.

CORAM : SACHIN S. DESHMUKH, J.

DATE : 11th FEBRUARY, 2026.

PER COURT :

1. Applicant seeks regular bail in connection with Crime No. 481/2025 registered with Loni Police Station, Dist. Ahilyanagar, for the offences punishable under Sections 109, 351(2), 352, 324(4) of Bharatiya Nyaya Sanhita, 2023.

2. The case of prosecution is that on 22.08.2025 at about 5.00 pm, while the complainant was proceeding on motorcycle towards Bhabhaleshwar, Applicant chased, threatened and assaulted with a knife. When the complainant tried to evade the blow, sustained injury on back and fell down. Applicant approached him and again assaulted on neck. Applicant threatened the complainant and left the spot. Thereafter, the informant was taken to the hospital. On

the basis of these allegations, First Information Report came to be registered.

3. Learned Counsel for the Applicant submits that the Applicant is falsely implicated in the offence. Injury certificate indicates nature of injury as simple which does not support the case of the prosecution. Investigation in the crime is complete and charge-sheet is filed. Nothing is to be recovered at the instance of the Applicant. Hence, prayed to allow the application.

4. Per contra, learned APP vehemently opposed the application submitting that the Applicant is involved in a serious crime. There are seven criminal antecedents against the Applicant. Even the process of externing the Applicant is underway. Hence, prayed to reject the application.

5. Having considered the submissions of both sides and perused the record, including the chargesheet and injury certificate, there is prima facie inadequate material on record to support the prosecution's case. The circumstances also suggest a potential care of over-implication. Furthermore, the knife allegedly used in the crime

has already been recovered, no further recovery remains to be effected at the instance of the Applicant

6. So far as the submission of learned APP about criminal antecedents against the Applicant, the Hon'ble Supreme Court in case of **Prabhakar Tewari vs. State of Uttar Pradesh, 2020 (11) SCC 648**, has observed that mere pendency of several criminal cases against the accused cannot itself be the basis of refusal of bail.

7. Nevertheless, investigation in the crime is complete for all purpose and intent. Resultantly, charge-sheet is filed. Applicant is behind the bars since 22.08.2025. In view of aforesaid aspects and the ratio laid down by the Hon'ble Supreme Court in the aforestated case, I am inclined to exercise discretion in favour of the Applicant.

8. Hence, the following order :-

ORDER

- (i) Application is allowed.
- (ii) Applicant Asif Alias Nahnya Anis Sayyed, be released on bail, on furnishing P.R. bond in the sum of Rs. 50,000/- (Rs. Fifty Thousand) with one or two local solvent sureties, in the like amount, in connection with Crime No. 481/2025

registered with Loni Police Station, Dist. Ahilyanagar, for the offences punishable under Sections 109, 351(2), 352, 324(4) of Bharatiya Nyaya Sanhita, 2023, on the following conditions :-

- (a) The Applicant shall not pressurize the prosecution witnesses and tamper with the prosecution evidence, in any manner.
- (b) The Applicant shall attend the trial on each and every date unless exempted by the Trial Court and shall not leave the area of jurisdiction of the concerned Police Station till conclusion of the trial.
- (c) The Applicant shall submit Aadhar and Pan Cards to the Investigating Officer and detailed address and phone numbers of the Applicant and two of the near relatives.
- (d) In case of breach of any of the conditions by the Applicant, it is open for the prosecution to move this Court seeking cancellation of bail.

(iii) Needless to state that, nothing stated hereinabove shall be construed as an expression on merits of the case. Learned Trial court shall proceed independently and uninfluenced by the observations made hereinabove.

(SACHIN S. DESHMUKH, J.)