



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

ANTICIPATORY BAIL APPLICATION NO. 701 OF 2025

LADDU HASAN PATHAN

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. Shaikh Md Aamer Abdul Qadir
alongwith Mr. Amjad Pathan

APP for Respondents/State : Mr. P.M. Kulkarni

...

CORAM : MEHROZ K. PATHAN, J.

DATE : 20th JANUARY 2026

PER COURT :

1. Heard the learned Counsel for the Applicant and the learned APP for the State.
2. The Applicant has approached this Court, seeking anticipatory bail in connection with Crime No.78/2025 registered with Pachod Police Station, District Chhatrapati Sambhajnagar for the offences punishable under Sections 352, 191(3), 191(2), 190, 189(2), 118(2), 118(1), 117(2), 115(2), 109, 351(3) of B.N.S.
3. This Court vide order dated 06.05.2025 had protected the Applicant with a condition that the Applicant shall attend the Investigating Officer as and when called. The learned Counsel for the Applicant submits that the present FIR being FIR No.78/2025 is counter to the earlier FIR filed by Asif Shaikh, a co-accused in the

present crime being Crime No.77/2025 wherein the Informant Aziz Khan, is also an accused. The allegations against the applicant are that he assaulted Aleem Khan with an axe. However, the complainant's son, Aleem Khan, sustained simple injuries, even though the weapon alleged to have been used by the applicant was an axe i.e. sharp weapon.

4. There is delay of two days in lodging the FIR. The earlier FIR No.77/2025 was lodged by co-accused Asif Shaikh on 20.02.2025, whereas the present FIR, being Crime No.78/2025, was lodged on 21.02.2025 by complainant Aziz Khan with the intention of wreaking vengeance. The Applicant has deep roots in society, has no criminal antecedents, and is ready to abide by any conditions that may be imposed by this Court.

5. As against this, the learned APP strongly opposes the present application on the ground that the Applicant is involved in a serious offence of attempt to commit murder and of causing grievous hurt by means of a dangerous weapon. The Applicant is alleged to have used an axe to assault the son of the complainant. The injury certificate shows grievous injuries sustained by the complainant, his son, and another witness, Krishna. Although the applicant attended the police station, the Investigating Officer is yet to recover the weapon used in the commission of the crime. Though the charge-sheet has been filed against the applicant, there is every likelihood that he may threaten the complainant and his family members,

thereby causing disturbance to law and order and prejudicing the prosecution case by intimidating the witnesses.

6. I have gone through the investigation papers. It is submitted by the learned Counsel for the Applicant that the charge-sheet is already filed against the present Applicant after the Applicant has attended the Investigating Officer. The perusal of the investigation papers further shows the injury certificates of complainant Aziz, his son Aleem and another injured Krishna. Though all the said injured witnesses have sustained injuries, none of them is alleged to have been caused by sharp object like an axe as alleged against present Applicant in the FIR. The other injuries are shown to be simple in nature on the son of the complainant Aleem. Thus, taking into consideration that the applicant has attended the police station and also the submission that the present FIR No.78/2025 is a counterblast to the earlier FIR No.77/2025, I am inclined to protect the Applicant by confirming the interim order, however the apprehension of the learned APP can be taken care of by imposing stringent conditions. Hence the following order :

ORDER

- (i) The application is allowed.
- (ii) The interim order dated 06.05.2025 is hereby confirmed.
- (iii) The Applicant shall attend the Pachod Police Station, District Chhatrapati Sambhajnagar once in a month till the framing of the charge.

(iv) The Applicant shall not tamper with the prosecution evidence and shall not influence the witnesses.

(v) A single violation of the conditions imposed, or the commission of any offence, or threatening the prosecution witnesses would entitle the prosecution to seek cancellation of bail.

(vi) The application stands disposed of.

MEHROZ K. PATHAN
JUDGE

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