



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

925 ANTICIPATORY BAIL APPLN NO.1076 OF 2025

**RAJU SHAIKH JAHIR KASAI (AS PER FIR) ALIAS
FIRDOS KHAN JAHIR KHAN KURESHI**

VERSUS

THE STATE OF MAHARASHTRA

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Advocate for Applicant : Ms. Karishma S. Sarin

APP for Respondent-State : Mrs.P.J.Bharad

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CORAM : MEHROZ K. PATHAN, J.

DATE : 17.01.2026

P.C. :

1] Heard the learned counsel for the applicant and the learned APP for the respondent-State.

2] The applicant has filed the present application seeking anticipatory bail in connection with FIR bearing Crime No.332/2025, dated 27.05.2025, registered with Nandurbar City Police Station, Nandurbar, for the offence punishable under Sections 351 (3), 351 (2), 352, 126 (2) and 118 (1) of Bharatiya Nyaya Sanhita.

3] This Court, vide order dated 1st July, 2025, has protected the present applicant, with condition that the applicant shall attend the concerned police station as and when called by the Investigating Officer.

4] The learned counsel for the applicant submits that the allegations are with an intention to over-implicate the role of assault and it was simple assault with fist and kick blows. There was no use of dangerous weapon by the applicant in the alleged crime, however, the dangerous weapon is mentioned in the FIR only to deny bail to the applicant. He further submits that the applicant has attended the concerned police station and has co-operated with the investigation. Hence, the applicant may be released on anticipatory bail.

5] As against this, the learned APP vehemently opposes the present application on the ground that the offence is serious in nature and the applicant is residing in the same area and there is likelihood that the applicant may threaten the complainant and his family members. Thus, this is not fit case to grant anticipatory bail to the applicant.

6] I have gone through the investigation papers, made available by the learned APP. The statement of the wife of the complainant does not show any weapon used by the applicant. The statement of another witness shows that there was one pointed object used by the applicant to assault the victim whereas the complainant himself has stated in the FIR that there was a knife used by the applicant to cause assault on the chest of the complainant.

The injury certificate shows that the injuries are abrasions and contusions and the said injuries do not corroborate the allegations of assault by knife attributed to the present applicant with FIR. The injury certificate further shows that there was invisible injury on the chest. The observations made are *prima facie* in nature and the same may not influence the trial Court while deciding the case on its own merits.

7] Thus, taking into consideration the fact that the applicant has attended the concerned police station and has co-operated with the investigation. The further apprehensions of the learned APP can be taken care of by imposing stringent conditions. Hence the following order :

ORDER

- A) The Anticipatory Bail Application is allowed.
- B) The interim order dated 1st July, 2025 is hereby confirmed. The applicant is directed to attend the concerned police station on 22.01.2026, 23.01.2026, 29.01.2026, 30.01.2026 and thereafter as and when called by the Investigating Officer till filing of the charge sheet.

- C) The Applicant shall also cooperate with the investigation.
- D) The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
- E) The applicant shall not enter the area i.e. Rajjak Park, Nandurbar till filing of the charge sheet by the Investigating Officer.

8] Needless to say, violation of any of the aforesaid conditions shall entitle the prosecution to seek cancellation of the anticipatory bail.

9] The Anticipatory Bail Application is disposed of accordingly.

[MEHROZ K. PATHAN]
JUDGE

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