



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1812 OF 2025

Rahil Salim Shaikh

....Applicant

VERSUS

The State Of Maharashtra

.....Respondent

.....

Advocate for Applicant : Mr. Abhaysinh K. Bhosle
APP for Respondents: Mr. K.K. Naik.

CORAM : MEHROZ K. PATHAN, J.

DATE : 13th JANUARY, 2026.

P.C. :-

1. The applicant has approached this Court seeking anticipatory bail in connection with 194 of 2025, registered with Police Station Patoda, District Beed for the offences punishable under Sections 132, 109, 118-2, 118-1, 126-2, 115-2, 352, 351-2 r/w. Section 3-5 of the Bhartiya Nyaya Sanhita.

2. The learned counsel for the applicant submits that the applicant and his father are falsely implicated in the present case. There was a scuffle between the applicant's brother Muzammil and the complainant. The complainant had, in fact, assaulted Muzammil - the brother of the applicant and the applicant had gone to rescue the applicant. The applicant and his father are falsely implicated. Even the MLC of the injuries of the brother of the applicant - Muzammil was recorded and statement of Muzammil was also recorded. However, no FIR was recorded by the concerned police authorities. Copy of the MLC

alongwith complaint made to the Police Station and Superintendent of Police, are taken on record and marked "X" for identification.

3. It is further argued that the applicant is not having any criminal antecedents and the applicant is ready to abide by any condition that may be imposed by this Court. The brother and father of the applicant are already released on anticipatory bail by the learned Sessions Judge, on imposing certain conditions. Therefore, the applicant may be released on bail.

4. As against this, the learned APP vehemently opposes the application on the ground that the applicant has obstructed and assaulted the complainant who was discharging his official duty. The applicant has used criminal force and assaulted the complainant by fist and kick blows and also by means of a stone. There are eye witnesses to the incident namely, Somnath Gore, Hrishikesh Gavli, Gopal Gare, Savkare and Jadhavar. The statement of the aforesaid witnesses corroborates the allegations made in the FIR. The applicant had not only assaulted the complainant with fist and kick blows, when the complainant was going for treatment of the injuries sustained by him, the applicant had assaulted the complainant by a wooden stick. The offence is serious in nature and if the applicant is released, he may commit an offence of like nature. Thus, taking into consideration the allegations in the FIR which are corroborated by the statements of witnesses recorded by the Investigating Officer, the applicant may not be released on anticipatory bail.

5. I have seen the investigation papers. Perusal of the investigation papers shows that the investigation is almost complete. The other co-accused – Muzammil, who is brother of the complainant is already released on anticipatory bail. Perusal of the injury certificate

shows that there are no visible injuries on the person of Kiran Naiknaware, who was examined by the Medical Officer of the Rural Hospital Patoda, District Beed on 14.7.2025. The injury certificate shows only trauma to left hand. However, invisible injuries are noted by the concerned Medical Officer.

6. Thus, taking into consideration the nature of injuries sustained by the complainant and also after perusing the complaint dated 3.7.2025 submitted by the mother of the applicant, which is accompanied with MLC No. 25/774 dated 26.3.2025 showing Muzammil receiving injuries of abrasion over left thigh and abrasion mark on left shoulder and history of physical assaulted by pipe etc., I am inclined to protect the applicant. The apprehension of the learned APP can be taken care of by imposing stringent conditions. Hence, the following order :-

ORDER

[I] In the event of arrest of the applicant, in connection with Crime No. 194 of 2025, registered with Police Station Patoda, District Beed for the offences punishable under Sections 132, 109, 118-2, 118-1, 126-2, 115-2, 352, 351-2 r/w. Section 3-5 of the Bhartiya Nyaya Sanhita, the applicant Rahil Salim Shaikh be released on bail on furnishing PR Bond in the sum of Rs. 50,000/-, with one or more sureties in the like amount, on the following conditions :-

[i] The applicant shall attend the concerned police station and report to the Investigating Officer on every Monday and Tuesday i.e. on 19th, 20th, 26th, 27th January, 2026 and 2nd and 3rd February, 2026 between 11.00 a.m. to 1.00 p.m. and thereafter, as and when called by the Investigating Officer till filing of charge sheet and shall cooperate with the investigation.

- [ii] The applicant shall not enter the village Patoda till filing of charge sheet.
- [iii] The applicant shall not threaten the witnesses and tamper with the evidence.
- [iv] The Investigating Officer shall make investigation papers available on next date of hearing.
- [v] The applicant shall submit his Aadhar and Pan card to the Investigating Officer alongwith mobile numbers and addresses of two of his near relatives.
- [vi] A single violation of the condition may entitle the prosecution to seek cancellation of bail.
- [vii] The application stands disposed of. The application for permission to assist the prosecution stands disposed of accordingly.

[MEHROZ K. PATHAN]
JUDGE.

grt/-