



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1832 OF 2025

Najir Juber Sayyed And Others

VERSUS

The State Of Maharashtra

Advocate for Applicant : Mr. Shaikh Joyeb I., Mudassir H. Shaikh

APP for Respondents: Mr. N.S. Tekale.

CORAM : MEHROZ K. PATHAN, J.

DATE : 10th FEBRUARY, 2026.

P.C. :-

1. The applicants have approached this court seeking anticipatory bail in connection with Crime No. 434 of 2025 registered with Shrirampur Taluka Police Station, District Ahilyanagar, for the offence under Sections 118-1, 127-2, 351-2, 351-3, 351-4, r/w. 3-5 of the Bhartiya Nyaya Sanhita and under Sections 5A(1), 5B and 9 of the Maharashtra Animal Preservation Act and under Sections 11(1)(b) of the Prevention of Cruelty to Animals Act, and under Section 4/25 of the Arms Act.

2. The prosecution story is that on 12.9.2025, informant Sahil Harale was going on a motorcycle alongwith his friends Sagar Pansar and Akshay Chavan. When they arrived at Gadegaon, the driver of the Tata Ace vehicle bearing registration number MH-17/BY 8720 was taking some cows for slaughter. When the informant and his friends tried to stop the said vehicle, the accused left the said vehicle in a canal and ran away. After that, the applicants came there and assaulted them with sharp weapons and wooden sticks. After that, Najir took out Akshay's car key abused the informant and his friend, assaulted them and locked them in a room. As such, the FIR was registered.

3. The learned counsel for the applicants submits that the applicants are falsely implicated in the present crime. The applicants have themselves called upon the police authorities on the spot. The applicants Nazir Sayyed and Dilawar Sayyed had intervened in the quarrel which was taking place and were not even concerned with the said crime. As the applicants had called the police authorities, the offence was deliberately registered against the applicants by attributing false allegations against them. There are no injuries on the person of complainant or the witnesses and as such, no offence, as alleged is made out against the applicants. Except applicant Nazir Sayyed, all other applicants are not having any criminal antecedents. The applicants are ready to abide by any conditions that may be imposed by this court. Hence, the applicants may be released on anticipatory bail.

4. As against this, the learned APP vehemently opposes the application on the ground that the offence is serious wherein allegations of voluntarily causing hurt to the complainant and witnesses Akshay and Sagar are made against the applicants, by means of wooden stick, iron rod and sharp weapons. The weapons are yet to be recovered and as such, the custodial interrogation of the applicants is necessary. The offence under the Maharashtra Animal Preservation Act is also registered. The applicants, if released, there is every likelihood that the applicant Najir Sayyed may commit an offence of like nature. Though the other applicants may not have criminal antecedents, however, looking to the allegations against the other accused, Dilawar, Anwar and Shoyeb, this is not a fit case to release them on bail. Hence, the application may be rejected.

5. I have gone through the investigation papers made available by the learned APP. The allegations against the applicants appear to be of

wrongful restraint and voluntarily causing hurt by means of sharp weapons. The investigated papers shows that neither the complainant nor the witnesses were medically examined and hence, there are no injury certificate on record. The applicant Nazir is having one criminal antecedent. It appears that the investigation is almost complete. As such, the custodial interrogation of the applicants is not necessary. So far as the apprehension of the learned APP that applicants may commit an offence of like nature, if released on anticipatory bail, same can be taken care of by imposing stringent conditions. Hence, I am inclined to protect the applicants by exercising discretion under Section 483 of BNSS. Hence, the following order :-

ORDER

[A] In the event of arrest of the applicants, in connection with Crime No. 434 of 2025 registered with Shrirampur Taluka Police Station, District Ahilyanagar, for the offence under Sections 118-1, 127-2, 351-2, 351-3, 351-4, r/w. 3-5 of the Bhartiya Nyaya Sanhita and under Sections 5A(1), 5B and 9 of the Maharashtra Animal Preservation Act and under Sections 11(1)(b) of the Prevention of Cruelty to Animals Act, and under Section 4/25 of the Arms Act, the applicants, [1] Najir S/o. Juber Sayyed (2) Shoeb @ Badshah S/o. Shakil Sayyed (3) Anwar S/o. Shabbir Sayyed (4) Dilavar S/o. Ahmed Sayyed be released on bail on furnishing PR Bond in the sum of Rs. 50,000/- each, with one or more sureties in the like amount, on the following conditions :-

[i] The applicants shall attend the concerned police station and report to the Investigating Officer on every Monday and Tuesday i.e. on 18th, 20th, 23rd, 24th February, 2026 and 2nd and 3rd March, 2026 between 11.00 a.m. to 1.00 p.m. and thereafter, as when called by the Investigating

Officer till filing of the charge sheet.

[ii] The applicants shall cooperate with the investigation.

[iii] The applicants shall not tamper with the prosecution evidence and threaten the witnesses.

[iv] The attendance of the applicants shall be treated as deemed custody under the provisions of Section 35 of the BNSS.

[v] A single violation of the conditions, shall entitle the prosecution to seek cancellation of bail.

[vi] The applicants shall submit their Aadhar and Pan card to the Investigating Officer alongwith mobile numbers and addresses of two of their near relatives and his present address.

[vii] The application is disposed of.

[MEHROZ K. PATHAN]
JUDGE.

grt/-