



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

47 ANTICIPATORY BAIL APPLN. NO.2164 OF 2025

1] KHAJA NAIMODDIN MOINODDIN INAMDAR
@ NADIM SALIM KHATIB
2] KHAJA ASLMODDIN KHAJA MOINODDIN INAMDAR
@ ASLAM SALIM KHATIB
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicants : Mr.Akram Inamdar h/f. Mr.S.S.Kazi
APP for Respondent-State : Mr.N.S.Tekale
...

CORAM : MEHROZ K. PATHAN, J.
DATE : 09.03.2026

P.C. :

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

2] The applicants have approached this Court seeking anticipatory bail in connection with FIR bearing Crime No. 0391/2025, registered at Rural Police Station Majalgaon, Tq. Majalgaon, Dist. Beed, for the offence punishable under Sections 118 (1), 118 (2), 115 (2), 352, 351 (2), 351 (3), 3 (5) of the BNS, 2023.

3] It is the case of prosecution that the informant Shaukat Mohammad Sharif Qureshi along with his wife,

three sons and two daughters are residing jointly at village Patrud, Taluka Majalgaon, Dist. Beed. They are cultivating Inam land of Khaja Magdum Ansari Dargah since last 30 years. They have taken bore well in the said land. They have returned the land admeasuring 06 Acres out of the Inam land i.e. purchased by them from Salim Khatib to his sons i.e. applicant nos. 1 and 2 and co-accused Salman. On 29.10.2025 at about 1.00 p.m. informant went in the Inam land for starting bore well to fill the water tank. At that time, the applicants and co-accused Salman came near him. They told him not to come in Inam land to start the bore well. The informant stated them that it was decided in the meeting of respected persons in the village that the said bore well allowed to be used by them. At that time they abused him. Co-accused Salman assaulted him by means of iron rod on his head. The applicant no.1 assaulted him by means of wooden stick on his right ankle. Applicant no.2 assaulted him by fist and on the right side of his face. Due to which he sustained injuries. At that time his son Babajan came there and released him. The applicants and co-accused given threat to him. Thereafter, the informant was taken to Rural Hospital, Majalgaon and afterwards to Civil Hospital, Beed. The informant's statement was recorded in the Hospital and the same is treated as report.

4] This Court, vide order dated 9th December, 2025, had protected the present applicants by granting ad-

interim anticipatory bail on the condition that the applicants shall attend the concerned police station on every Saturday between 11.00 a.m. to 1.00 p.m. and co-operate with the Investigating Officer.

5] The learned counsel for the applicants submits that the applicants have complied the interim order dated 9th December, 2025 and have co-operated with the investigation. That, the prosecution has completed the investigation against the present applicants and has filed charge sheet, which is now registered as RCC No.47/2026 before the 2nd Judicial Magistrate First Class, Majalgaon.

6] The learned counsel for the applicants further submits that the applicants are falsely implicated in the present crime. The allegations are vague and general in nature. The counter FIR bearing Crime No.390/2025 filed by the real brother of the applicants, namely, Khaja Ameenoddin Khaja Moinoddin @ Salman Khatib, is prior in point of time. The applicants are not alleged of any assault on vital part of the body. The applicants are not having antecedents and are ready to abide by any conditions that may be imposed by this Court. Hence, the applicants may be released on anticipatory bail.

7] As against this, the learned APP vehemently opposes the application on the ground that there is dispute

about the land admeasuring 06 Acres out of the Inam land purchased by them from Salim Khatib to his sons i.e. applicant nos. 1 and 2 and co-accused Salman. That, there are allegations of assault even against the present applicants. The main accused, namely, Salman is already released on bail by the Sessions Court. The entire investigation is complete. However, taking into consideration the nature of allegations, this is not fit case to grant anticipatory bail. Hence, the application of the present applicants may be rejected.

8] I have gone through investigation papers, made available by the learned APP, which is now culminated into filing of the charge sheet. The entire investigation is complete and the applicants have co-operated with the investigation. The apprehensions of the learned APP that there is likelihood that the applicants may again commit offences of like nature, 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 9th December, 2025 is hereby confirmed. The applicants are directed to attend the concerned police

station on every Saturday till framing of the charge.

C) The Applicants shall also cooperate with the investigation.

D) The Applicants shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.

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

10] The observations made herein above are prima facie in nature and shall not influence the Trial Court while deciding the case on its own merits.

11] The Anticipatory Bail Application is disposed of accordingly.

[MEHROZ K. PATHAN]
JUDGE