



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

957 BAIL APPLICATION NO. 176 OF 2026

Saber Sayyad Lal Sayyad

....Applicant

VERSUS

The State of Maharashtra

.....Respondent

Mr. A. Z. Biyabani, Advocate for Applicant

Mr. C. V. Bhadane, APP for the State.

CORAM : SACHIN S. DESHMUKH, J.

DATE : 12th FEBRUARY, 2026.

PER COURT :

1. Applicant has preferred this application seeking regular bail in connection with Crime No. 077/2025 registered with Pachod Police Station, Dist. Chhatrapati Sambhajinagar Rural, for the offences punishable under Sections 109, 189(2), 191(2), 191(3), 190, 118(2), 118(1), 117(2), 115(2), 352, 351(3) of Bharatiya Nyaya Sanhita, 2023.

2. The case of prosecution is that on 19.02.2026 at about 6.50 pm, when informant along with his friend were proceeding towards the house of his grand-father, Applicant along with co-accused came on motorcycle. Co-accused Aleem, who was riding motorcycle, dashed the informant. Informant fell down as a result of which sustained injury to knee. Upon questioning, all of them started

abusing and assaulting informant with fists and kicks. Co-accused Krushna threatened informant with knife and Aleem assaulted with the help of handle of axe. Informant immediately called maternal uncle and narrated the incident. When his maternal uncle reached the spot, Applicant along with co-accused assaulted with fists and kicks. Co-accused Krushna assaulted with knife on abdomen and near eye. Further, Applicant assaulted his maternal uncle with the help of sickle on face. Thereafter, informant and maternal uncle were admitted to hospital. On the basis of these allegations, First Information Report came to be registered.

3. Learned Counsel for Applicant submits that the Applicant is falsely implicated in the crime. There are cross complaints between the parties. The present First Information Report is lodged to counter the cross complaint. There are no criminal antecedents against the present Applicant. Investigation in the crime is complete and charge-sheet is filed. Further, co-accused are enlarged on bail and on the ground of parity, Applicant may be enlarged on bail. Hence, prayed to allow the application.

4. Per contra, learned APP vehemently opposed the application submitting that Applicant is involved in a serious offence. Specific role is attributed against the present Applicant. Hence, prayed to reject the application.

5. Upon considering submissions of both sides and on perusal of record, including charge-sheet, it is apparent that there are cross-complaints. *Prima facie* the nature of the injuries are pre-dominantly simple. There are no criminal antecedents against the present Applicant. Thus, *prima facie*, it is a case of over-implication.

6. Nevertheless, investigation in the crime is complete for all purpose and intent. Resultantly, charge-sheet is filed. Applicant is behind the bar since 23.06.2025. Co-accused are enlarged on bail. Having regard to the aforestated facts and the fact that co-accused are enlarged on bail, I am of the view that the present Applicant is entitled to be released on bail.

7. Hence, the following order :

ORDER

- (i) Application is allowed.

(ii) Applicant Saber Sayyad Lal Sayyad, be released on bail, on furnishing P.R. bond in the sum of Rs. 50,000/- (Rs. Fifty Thousand) with one or two local solvent sureties, in the like amount, in connection with Crime No. 077/2025 registered with Pachod Police Station, Dist. Chhatrapati Sambhajnagar Rural, for the offences punishable under Sections 109, 189(2), 191(2), 191(3), 190, 118(2), 118(1), 117(2), 115(2), 352, 351(3) of Bharatiya Nyaya Sanhita, 2023, on the following conditions :-

- (a) The Applicant shall not pressurize the prosecution witnesses and tamper with the prosecution evidence, in any manner.
- (b) The Applicant shall attend the trial on each and every date unless exempted by the Trial Court and shall not leave the area of jurisdiction of the concerned Police Station till conclusion of the trial.
- (c) The Applicant shall submit Aadhar and Pan Cards to the Investigating Officer and detailed address and phone numbers of the Applicant and two of the near relatives.
- (d) In case of breach of any of the conditions by the Applicant, it is open for the prosecution to move this Court seeking cancellation of bail.

(iii) Needless to state that, nothing stated hereinabove shall be construed as an expression on merits of the case. Learned Trial court shall proceed independently and uninfluenced by the observations made hereinabove.

(SACHIN S. DESHMUKH, J.)