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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 2853 OF 2026

Naeem Budai Shah & Anr. .. Applicants

Versus

The State of Maharashtra .. Respondent

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- Mr. Bhushan Deshmukh a/w Mr. Shashank Patare, for the Applicant.
- Mrs. Sangeeta Phad, APP for the Respondent - State.

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CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 14, 2026

P.C.:

1. Heard Mr. Bhushan Deshmukh, learned Advocate for Applicant and Mrs. Sangeeta Phad, learned APP for Respondent.

2. This is an Application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking bail in connection with C.R. No.181 of 2024 registered with Shirgaon Parandavadi Police Station, Pimpri Chinchwad, District Pune for offences punishable under Sections 189(2), 191(2), 193(3), 190, 121(1), 121(2) and 132 of the Bharatiya Nyaya Sanhita, 2023.

3. The Applicants and their brothers have been indicted by the police officers when they were obstructed from interfering with the Applicants' business of scrap goods in their scrap shop, without any

search warrant or authorization.

4. Three out of the five brothers have already been enlarged on bail. The Applicants before me have already undergone incarceration for more than two years and four months, which is almost 50% of the punishment that can be meted out on conviction.

5. Considering the aforesaid prima facie material and the length of incarceration of the Applicants, I am inclined to consider the case of the Applicants for grant of bail. Both the Applicants have made out a case for grant of bail.

6. Hence, in view of above *prima facie* observations and findings, Bail Application of Applicants are allowed subject to the following terms and conditions:-

(i) Applicants are directed to be immediately released from prison in connection with CR. No.181 of 2024;

(ii) Applicants are directed to be released on bail on furnishing P.R. Bond of Rs.10,000/- each (Rs. Ten Thousand only) with one or two sureties in the like amount;

(iii) Applicants shall report to the Investigating Officer at concerned Police Station, once every month, on the first Monday of the month between 10:00 a.m. to 12:00

p.m. until commencement of trial and thereafter shall attend all dates of hearing before the Trial Court;

(iv) Applicants shall cooperate with the conduct of the trial and remain the Applicants have made out a case for grant of bail. present before the Trial Court on all dates, unless specifically exempted. Applicant shall not seek unnecessary adjournments. Any such conduct shall entitle the prosecution to apply for cancellation of bail;

(v) Applicants shall not leave the State of Maharashtra without prior permission of the Trial Court;

(vi) Applicants shall not influence any of the witnesses or tamper with the evidence in any manner;

(vii) Applicants shall keep the Investigating Officer informed of their current residential address and mobile telephone number and shall forthwith inform the Investigating Officer of any change in their residential address or mobile telephone number, as and when such change occurs; and

(viii) Any breach or infraction of any of the aforesaid conditions shall entail cancellation of the bail granted to the Applicant.

7. It is clarified that the observations made in this order are limited for the purpose of granting bail only and I have not made any observations on merits of the case. The trial shall be adjudicated on the strength of the evidence led and strictly on its own merits being uninfluenced with any of the *prima facie* observations made hereinabove in this order.

8. Bail Application is allowed and disposed in the above terms.

[MILIND N. JADHAV, J.]