PRACHI PRANESH NANDIWADEKAR
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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2082 OF 2026

Shaikh Sadik Shaikh Sattar
@ Sadik Mama Patel ... Applicant

V/s.

State of Maharashtra .... Respondent

Ms. Shraddha Kadam for the Applicant.

Mr. S. V. Walve, APP for the Respondent-State.

Mr. Sham T. Khernar, Police Hawaldar attached to Malegaon City Police Station, Nashik Rural, present.

CORAM : MADHAV J. JAMDAR, J.

DATED : 5 OCTOBER 2026

P. C. :-

1. Heard Ms. Kadam, learned Counsel appearing for the Applicant and Mr. Walve, learned APP appearing for the Respondent-State.

2. By this application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the Applicant is seeking pre-arrest bail in connection with C.R. No.289 of 2024 registered with Malegaon City Police Station, Nashik for the offences punishable

under Sections 109(1), 118(2), 189(2), 189(4), 190, 191(3), 351(3) and 352 of the Bharatiya Nyaya Sanhita, 2023.

3. It is the submission of Ms. Kadam, learned counsel for the Applicant that the Applicant is not involved in the crime. The charge-sheet is already filed and, therefore, investigation is completed. She submitted that the First Informant and injured witness has filed affidavit giving no objection for granting anticipatory bail.

4. The prosecution case is set out in paragraph no. 7 of the order dated 9 April 2026 passed by the learned Additional Sessions Judge/Special Judge, Malegaon, District Nashik in Criminal Bail Application No.225 of 2026 which reads as under :-

> "7. After going through the copy of FIR prima facie it can be said that FIR is registered on 25/11/2024 at 17.42 hrs. In the FIR it is alleged that on 24/11/2024 at about 07.30 p.m. the informant and his other relatives were waiting for Auto rickshaw near the house of his maternal uncle, at that time all accused, who are known to him, came and accused Wasim Shaikh assaulted him on head by of sharp means edge weapon. It is further alleged that accused Shaikh Akram assaulted informant by means of iron rod and accused Shaikh Aslam threatened the informant that they would kill him next time by firing a bullet. It is further alleged that all accused assaulted the informant by fist and kick blows and abused him and threatened him."

5. Perusal of the record shows that both the First Informant and injured witness as also the Accused were known to each other.

There are total 8 Accused. Some of them have been arrested and granted regular bail and some of them have been released on anticipatory bail. The charge-sheet is already filed. The First Informant and injured witness has given statement, stating that they have no objection if the Applicant is granted anticipatory bail. The incident took place due to previous dispute. As the charge-sheet is filed, the investigation is practically completed.

6. For above reasons the case is made out for grant of anticipatory bail. However, as there are 3 antecedents, stringent conditions are required to be imposed. Accordingly the following order is passed:-

O R D E R

(a) In the event of arrest of the Applicant in connection with C.R. No.289 of 2024 registered with Malegaon City Police Station, Nashik, the Applicant is directed to be released on bail on furnishing P.R. Bond in the sum of Rs.30,000/- with one or two solvent sureties each in the like amount.

(b) The Applicant shall attend the concerned Police Station as and when called and in any case once in a month i.e. on 1st Sunday of each month between 11

a.m. to 2p.m.

(c) The Applicant shall furnish his cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.

(d) The Applicant shall not directly or indirectly make any inducement, threat, or promise to any person acquainted with the facts of the case so as to dissuade such a person from disclosing the facts to the Court or to any Police personnel.

(e) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.

(f) The Applicant shall not leave India without prior permission of the Court.

(g) The Applicant shall cooperate with the Investigating Officer and attend the concerned police station as and when called by the Investigating Officer.

7. The observations made in this order are only for the purpose of considering the anticipatory bail application.

8. Anticipatory Bail Application is disposed of accordingly.

[MADHAV J. JAMDAR, J.]