IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 2646 OF 2026

Akhtar Sunhari Khan …Applicant

Versus

The State of Maharashtra …Respondent

Mr. Yogesh Mahadev Birajdar, a/w Mr. Hanmant Bade & Mr. Shriram Phad for the Applicant.
Mr. Swapnil V. Walve, APP, for the Respondent-State.
MR.Ajit Kanase API, attached to Ulwe Police Station, Navi Mumbai, present.

CORAM: MADHAV J. JAMDAR, J.
DATED : 6th OCTOBER 2026

PC:-

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

2. By this application the Applicant is seeking pre-arrest bail in connection with CR. No. 22 of 2026 registered with Ulwe Police Station, Navi Mumbai under Sections 118(2), 118(1), 115(2), 325, 324(4), 3(5) of Bharatiya Nyaya Sanhita of 2023.

3. Mr. Birajdar, learned counsel appearing for the Applicant, submits that the incident has taken place on the spur of the movement as there is sudden fight on trivial issue. He submits that there are no other antecedents. Charge-sheet is already filed against other Accused. Therefore, investigation is practically completed.

4. Mr. Walve, learned App strongly opposes the application. He submits that the Applicant is involved in the crime.

5. The prosecution case is set out in Paragraph No. 06 of order dated 24th February, 2026 passed by learned Additional Sessions Judge, Tal. Panvel, Dist. Raigad, which reads as under:-

> 6. Perused FIR and documents placed on record. Informant Tejveer Banir Singh and accused Shabad, Rais and Subhan Khan were acquainted with each other since last7 to 8 months. They planed Goa trip in August 2025.. After trip there was dispute between them about expenses of the trip. On 12/01/2026 at 21.00hours informant was called by

Subhan Khan at Ulwe regarding expenses of trip. When informant and Subhan Khan reached at Sector 19, Ulwe, Navi Mumbai, Shadab slapped the informant. When informant opposed Saifuddin, he started abusing the informant and assaulted with fist and blow. Saifuddin also gave fight on informant's face. Thereafter, Akhtar and Rais came there and they assaulted the informant with Bamboo. Shabad also assaulted the informant by some weapon on middle finger of right hand. In the said incident the informant sustained grievous injuries on head and hand. He also sustained fracture injury. Therefore, the informant lodged report to Ulwa Police Station C.R.No 22/2026 for the offences punishable under Section 118(2), 118(1), 115(2), 352, 324(4) read with 3(5) o the BNS.

6. Perusal of the record shows that the incident has taken place with respect to the expenses of Goa trip, where all the Accused persons and First Informant had gone. The only role attributed to the present Applicant is that he has assaulted the First Informant

with Bamboo Stick. There are no other antecedents. The other accused persons were arrested and released on regular bail. Charge-sheet has already been filed against them.

7. Thus, practically investigation is completed. Accordingly, the case is made out for grant of Anticipatory Bail.

8. In view thereof, the following order is passed:

O R D E R

(a) In the event of arrest of the Applicant- Akhtar Sunhari Khan in connection with C.R. No. 0022 of 2026 registered with the Ulwe Police Station, Navi Mumbai the Applicant is directed to be released on bail on his furnishing P.R. Bond in the sum of Rs. 30,000/- with one or two solvent sureties in the like amount.

(b) The Applicant shall attend the concerned Police Station as and when called and co-operate the investigation.

(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.

9. The Anticipatory Bail Application is disposed of accordingly.

[MADHAV J. JAMDAR, J.]