*Harish*

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**CRIMINAL APPELLATE JURISDICTION**

**ANTICIPATORY BAIL APPLICATION NO. 2390 OF 2025**

Noor Muhammad Sakil Ahmad Manihar ...Applicant

V/S.

The State Of Maharashtra ...Respondent

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Adv. Mushtaq Shaikh, Vishnu Vani, Saazib Aziz, Sameera Khan, A. Shaikh i/b Law Pride & Associates, for the Applicant.

Adv. Ashok S. Gawai, APP for the Respondent – State.

PSI - Mr. Sunil Khaire, Bangur Nagar, Police Station is present.

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**CORAM : PRAFULLA S. KHUBALKAR, J.**
**DATE : 12TH OCTOBER, 2026.**

**P.C. :-**

1. Heard learned counsel for the applicant as well as learned APP for the respondent-State.

2. The applicant has filed the instant application in connection with Crime No. 279 of 2025 dated 11.06.2025 registered with Bangur Nagar, Police Station Brihanmumbai, for the offence punishable under Sections 109, 351(3) and 352 read with Section 3(5) of the Bharatiya Nyaya Sanhita (BNS), 2023.

3. The FIR is registered on the basis of a report lodged by the complainant alleging that on 10.06.2025 at about 09:30 p.m. there was a

quarrel in between informant and the accused persons and at that time, accused no.1 Abdul Rehman Manihar attacked the victim by fists and blows and accused no.2 attacked the victim by use of knife and they all threatened to kill him. On the basis of this report offence is registered against three persons including this applicant who is arraigned as accused no.2.

4. Learned counsel for the applicant submits that the allegations of attack are introduced by the complainant on account of the fact that the applicant is brother of a girl who is in relationship with the informant and with an intention to falsely implicate him. He also submits that there is no grievous injury suffered by the victim in the alleged attack and the injury certificate as placed on record shows that the injuries are simple in nature. He also submits that the charge-sheet is already filed and the weapon of offence is already recovered. Apart from this, he states that there are no criminal antecedents against the applicant and he is ready to join the investigation to be conducted against him. He also points out that this application was filed on 21.08.2025 and even though there is no interim protection, the applicant is not yet arrested which shows that there is no need for custodial interrogation of this applicant.

5. As against this, learned APP has opposed the application and submitted that there are allegations in the FIR about attack by this applicant by use of knife. He submits that the offence is serious in nature and all the accused persons have acted with common intention. However, there is no

dispute that the charge-sheet is already filed and the weapon of offence is recovered. It is also not disputed that the injuries suffered by the victim Ajit Yadav are simple in nature as reflected from the injury certificate forming part of the charge-sheet.

6. Perused the FIR and the documents placed on record. It has to be noted that although there are allegations of attack by knife by this applicant, the injuries allegedly suffered as reflected in the injury certificate are simple in nature. It has to be noted that the charge-sheet is already filed and the weapon of offence is recovered. As such there is no need for custodial interrogation of this applicant. Further considering the fact that there are no criminal antecedents against this applicant his presence can be secured by directing him to join the investigation and attend the police station. Thus, in view of all the above mentioned aspects, the applicant has made out a case for grant of anticipatory bail.

7. In view of the above, the following order is passed **:**

**: : O R D E R : :**

i] The Anticipatory Bail Application is allowed.

ii] In the event of arrest of the applicant in Crime No. 279 of 2025 dated 11.06.2025 registered with Bangur Nagar, Police Station Brihanmumbai,

for the offence punishable under Sections 109, 351(3) and 352 read with Section 3(5) of the Bharatiya Nyaya Sanhita (BNS), 2023, he be released on bail on furnishing P. R. Bond of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one solvent surety in the like amount.

iii] The applicant is directed to attend the police station as and when called upon by the investigating agency.

iv] The applicant shall not contact the complainant or any witnesses in any manner.

v] The applicant shall extend cooperation during investigation and trial.

8. The Anticipatory Bail Application is allowed and disposed of.

***(PRAFULLA S. KHUBALKAR, J.)***