HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.3788 OF 2026

Abdul Shakib Abdul Qadir .. Applicant

Versus

The State of Maharashtra .. Respondent

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- Mr. Nikhil G. Hire a/w. Mr. Momin Bilal Ansari, Advocates for Applicant.
- Ms. Rajeshree V. Newton, APP for Respondent.

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CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 07, 2026

P.C.:

1. Heard Mr. Hire, learned Advocate for Applicant and Ms. Newton, 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.497 of 2024 registered with Malegaon Taluka Police Station, Nashik Rural for offences punishable under Section 103 (1) of the Bharatiya Nyaya Sanhita, 2023.

3. Applicant is apprehended and indicted in the present crime on the basis of circumstantial evidence solely on the basis that he happened to be a close friend of the deceased – victim. Victim was working as a cleaner in an establishment where he was friends with the present Applicant. The family members of deceased victim have also admitted the fact that the victim was prone to addiction.

4. The victim's body was found by the police in a public place, and it is merely on the basis of suspicion emanating from CCTV footage which shows the Applicant being present in the area where the body was found, the Applicant is arrested. Save and except this, there is no other incriminating material placed on record.

5. Applicant is a young offender of 20 years of age, requiring to support his family, whose father and brother both are mentally challenged persons. In that view of the matter, the case of Applicant who is a young offender is considered since there is no direct evidence and therefore, Applicant is released on bail subject to following conditions:-

(i) Applicant is directed to be immediately released from prison in connection with Crime No. 497 of 2024;

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

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

(iv) Applicant shall co-operate with the conduct of trial and attend the Trial Court on all dates, unless specifically exempted and will not take any unnecessary adjournments, if he does so it will entitle the prosecution to apply for revocation of this order;

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

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

(vii) Applicant shall keep the Investigating Officer informed of his current address and mobile contact number and / or change of residence or mobile details, if any, from time to time, as applicable; and

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

6. 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.

7. Bail Application is allowed and disposed of in the above terms.

H. H. SAWANT

[MILIND N. JADHAV, J.]

HARSHADA HANUMANT SAWANT
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Date: 2026.10.07 19:14:50 +0530