Sharada

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.3808 OF 2026

Fayan Samir Khan And Anr .. Applicants

Versus

The State of Maharashtra .. Respondent

.....

- Mr. Himanshu S. Gavit, Advocate for Applicant.
- Mr. Yogesh Nakhawa, APP for Respondent.

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SHARADA RANGNATH WAHULE
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Date: 2026.10.13 11:42:05 +0530

CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 12, 2026

P.C.:

1. Heard Mr. Himanshu Gavit, learned Advocate for Applicant and Mr. Yogesh Nakhawa, 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.425 of 2026 registered with Ambad Police Station for offences punishable under Sections 109, 189(2), 189(4), 190, 191(2), 191(3), 351(2), 352 of the Bharatiya Nyaya Sanhita, 2023, section 135 of the Maharashtra Police Act and Section 7 of the Criminal Law (Amendment) Act, 2013.

3. The Applicant is arrested on 15th April 2026 and there are total 5 accused persons in the present crime. The Applicant and co-accused persons are all known to each other. The prosecution has

placed witness statement at page 197 wherein it is stated that due to certain old enmity Applicant and his associates assaulted the complainant and injured witnesses. The charge is under Section 307 for having caused one grievous injury and other simple injuries. Considering the incarceration of the Applicant from 15th April, 2026 and drawing parity with regard to 3 others co-accused persons namely accused nos.1, 2 and 6 having been granted bail, the Applicant who has been arraigned as accused no.4 is also granted bail.

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

(i) Applicant is directed to be immediately released from prison in connection with CR. No.425 of 2026;

(ii) Applicant is directed to be released on bail on furnishing P.R. Bond of Rs.25,000/- (Rs. Twenty Five Thousand only) with one or two sureties in the like amount;

(iii) Applicant 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) Applicant shall cooperate with the conduct of the trial and remain 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) 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 residential address and mobile telephone number and shall forthwith inform the Investigating Officer of any change in his 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.

5. 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.

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

[MILIND N. JADHAV, J.]