

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 6 OF 2026

Fazle Kareem Mohd Bashir Sayyed @ Nadeem ...Applicant
Versus
The State of Maharashtra ...Respondent

Mr. Rajkumar Rajhuns for the Applicant.

Mr. S.S. Ghag, APP for the Respondent-State.

Mr S.G. Kshirsagar PSI, Ghatkopar Police Station

CORAM: R. M. JOSHI, J.

DATED: 16th APRIL, 2026

PC:-

1. Applicant seeks bail in connection with CR. No.861 of 2020 is registered with Ghatkopar Police Station, Mumbai for the offences punishable under Sections 307, 504, 506, and 34 of the Indian Penal Code (for short "**I.P.C.**").

2. In short, it is the case of the prosecution that on 10.12.2020 incident occurred in which the applicant and co-accused caused assault on the informant and others. It is said that they intended to kill the informant in the said assault. As far as present applicant is concerned there is allegation that he used chopper to cause the

said assault. After conclusion of the investigation in the year 2021, chargesheet came to be filed since then the applicant is in jail.

3. Learned counsel for the applicant submits that co-accused persons are already enlarged on bail and hence on parity applicant be released on bail. It is his submission that charge has been framed on 10.08.2024, however, till date the evidence is not concluded nor there is any progress in the trial.

4. The co-accused persons are granted bail one of the person who also were party to the causing of the assault is enlarged on bail dated 14.02.2025 in Criminal Bail Application No. 5270 of 2024. Having regard to these facts, applicant therefore, seeks bail.

5. Learned APP opposed the application, it is contended that the trial has commenced this Court has made specific query as to the time required for conclusion of trial, on instructions, learned APP is unable to make any statement in this regard. He therefore, states that there are 18 witnesses yet to be examined. Considering the fact that the applicant is in jail for over a period of last 5 years and since there is no possibility of commencement and conclusion of trial in reasonable time, on the sole ground of long incarceration, applicant deserves bail.

6. Hence following order:-

ORDER

- i) Applicant is directed to be released on bail on furnishing P.R. Bond in the sum of Rs. 25,000/- with one or two sureties in the like amount;
- ii) Applicant shall report to the Investigating Officer of concerned Police Station on the third Saturday between 10:00 a.m. to 12:00 p.m. for the first three months and thereafter as and when called;
- iii) 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 cancellation of this order;
- iv) Applicant shall not leave the State of Maharashtra without prior permission of the Trial Court. He shall deposit his passport, if any, within two weeks after being released on bail with the Trial Court;
- v) Applicant shall not influence with any of the witnesses or tamper with the evidence in any manner;

vi) 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;

vii) Any infraction of the above conditions shall entail cancellation of this order.

viii) It is clarified that the observations in this order are limited for the purpose of granting Bail only and this Court has not made any observations on the merits of the case.

7. Bail Application stands allowed and disposed of.

(R. M. JOSHI, J.)