

S.S.Kilaje

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 2050 OF 2025

Nazim Babar Khan/ Pathan

... Applicant

Versus

The State of Maharashtra

... Respondent

Mr. Chetan Deshmukh, Advocate for the Applicant (Through VC).

Mr. P. P. Jadhav, APP for the Respondent-State.

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CORAM : SHIVKUMAR DIGE, J.

DATE : 22nd JANUARY, 2026.

P.C. :

1. By this application, the Applicant is seeking regular bail in C.R.No. 328 of 2024 registered with Bhadrakali Police Station, Pune, for the offences punishable under Sections 109, 352, 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short “BNS Act”) and Section 135 of Bombay Police Act.

2. It is prosecution’s case that on 20.09.2024, the applicant and co-accused assaulted the first informant with sickle with intention to kill him on the ground of old dispute.

3. It is contention of learned counsel for the applicant that injuries suffered by the first informant are simple in nature. The co-accused Suraj Shevre having similar allegations has been released on bail, hence the applicant is entitled for bail on principle of parity and requested to allow

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the application.

4. It is contention of learned APP that the applicant assaulted the first informant with sickle on head with intention to kill him. It shows involvement of the applicant in crime. The applicant has five antecedents. If the applicant released on bail, he may abscond or threaten prosecution witnesses. Hence, requested to reject the application.

5. I have heard both the learned counsel. Perused chargesheet and documents produced on record. The applicant is behind bars for more than one year and four months. There is no progress in the trial. The co-accused Suraj having similar allegations has been released on bail. Considering these facts, I pass following order.

ORDER

- i. The applicant be enlarged on bail in C.R.No. 328 of 2024 registered with Bhadrakali Police Station, Pune, on executing P.R.Bond of Rs. 30,000/- on furnishing one or two sureties in the like amount.
- ii. The applicant shall attend the concerned police station as and when required.
- iii. The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

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6. The application is allowed in the aforesaid terms and is accordingly disposed of. All pending applications, if any, disposed of.

7. It is made clear that the above observations are made only for the purpose of granting bail and the Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the observations made in this order.

8. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)