

vai

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

VASANT
ANANDRAO
IDHOL

CRIMINAL BAIL APPLICATION NO.2895 OF 2025

Digitally signed
by VASANT
ANANDRAO
IDHOL
Date: 2026.04.10
11:10:55 +0530

Haider @ Anda Ibrahim Shaikh	...Applicant
V/s.	
State of Maharashtra	...Respondent

Mr.Wasim F. Prandarwala for the Applicant.

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

Mr.S.B. Gheradhe, PSI attached to Wadala Truck terminal Police Station, Mumbai is present in Court.

CORAM : R.M. JOSHI, J.
DATE : 9TH APRIL, 2026.

P.C. :-

1. The Applicant seeks bail in connection with Crime No.419 of 2021 registered with Wadala Truck Terminal Police Station, Mumbai for the offence punishable under Section 302 of IPC.

2. In short, it is the case of the prosecution that on 22nd December, 2021, the deceased was assaulted by the Applicant with knife on his chest and committed his murder. Further

according to the prosecution this incident has taken place in presence of the witnesses. On conclusion of the investigation, chargesheet came to be filed. The Applicant was arrested on 23rd December, 2021. The charge has been framed in September, 2024.

3. Learned counsel for the Applicant submits that there are inconsistencies in the statement of eye witness and panchanama indicating the directions in which the Applicant / accused allegedly fled after the occurrence of the incident. He also sought to draw the attention of the Court of the evidence of PW 1 recorded before the Trial Court in order to contend that there is no evidence to show previous disputes / rivalry between the Applicant and the deceased. It is his submission that in view of the fact that the charge has been framed in September, 2024, till date only one witness is examined.

4. Learned APP on instructions makes statement that two witnesses are examined and the trial is in progress. It is his submission on merit of the case that the discrepancies sought to be canvassed are not sufficient to hold that the Applicant has not

committed crime in question. It is his submission that till the trial is in progress, application for bail be rejected.

5. He makes statement on instructions that about 24 witnesses are to be examined before the Trial Court.

6. *Prima-facie* perusal of the chargesheet indicates that the incident in question in which the deceased died was witnessed by the independent persons. Inconsistencies sought to be canvassed on behalf of the learned counsel for the Applicant with regard to the directions in which the accused fled, would be a matter to be considered by the Trial Court. This Court does not find it appropriate to record any findings on the same. Even in respect of the submissions made on the basis of the evidence already recorded before the Trial Court, no observations can be made with regard to the same, as it is for the Trial Court to consider / appreciate the said evidence.

7. Suffice it to say that *prima-facie*, there is evidence collected during the course of investigation indicating the involvement of the Applicant in the serious crime punishable under Section 302 of IPC. The trial is in progress. This Court

does not find any justification to grant bail at this stage. Hence the application stands dismissed.

8. It is clarified that if the trial does not get over within a period of a year from today, it will be open for the Applicant to revive his request for bail.

(R.M. JOSHI, J.)