

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.3735 OF 2025**

Shaheen Mohammed Aslam Manihar	...Applicant
<i>Versus</i>	
State of Maharashtra	...Respondent

Mr. Sanjeev Mishra, *for the Applicant.*
Mr. Mayur Sonavane, *APP for the Respondent - State.*
API – Rekha Patil, Waliv Police Station, MBVV, present.

CORAM DR. NEELA GOKHALE, J.
DATED: 17TH JANUARY 2026

PC:-

1. By this Application, the Applicant seeks her enlargement on bail in connection with C.R.No.297 of 2025 dated 12th April, 2025 registered with the Waliv Police Station, District: Mira Bhaindar, Vasai Virar, for the offences punishable under Sections 115(2), 118(1), 118(2), 127(2), 3(5), 351(3), 352, 356(3), 74 and 76 of the Bharatiya Nyaya Sanhita, 2023 (for short '**BNS**').

2. The facts of the case, as discerned from the FIR, are that there was some financial transaction between the First Informant, Alimun Nisa Manihar, and the Applicant and her husband. The First Informant has stated that the Applicant and her husband had demanded Rs.13,00,000/-, which advanced as loan to the Applicant and her husband. The Applicant's husband called the First Informant and her husband near the Shalimar Hotel to collect the said amount. When the First Informant went to the Applicant's house, she was allegedly locked in a bedroom, disrobed by the Applicant and her husband, assaulted by them, and made to sit on a sofa, whereupon the Applicant cut her hair. Thus, the allegation of the First Informant is that she was assaulted by Applicant and her husband by disrobing her, tearing her *burkha*, physically assaulting her, and cutting her hair. It is further alleged that the Applicant and her husband inflicted a cut on her cheek using a blade. Thereafter, the First Informant was taken to a hospital, where the doctor dressed her wound and sent her home.

3. The First Informant filed a complaint against the Applicant and her husband, pursuant to which the FIR was registered. The Applicant and her husband were arrested on 13th May, 2025, and since then, they are in custody.

4. The Applicant made an application seeking bail before the Additional Sessions Judge, Vasai, however, by order dated 9th July, 2025, the said application was rejected. Hence, the Applicant has filed the present Bail Application for the reliefs as prayed.

5. Mr. Mishra, learned counsel for the Applicant, submits that the Applicant is a woman and has four minor children. At present, there is nobody to look after them, and they are being housed in the home of a distant relative. He further submits that Applicant is unwell and was admitted to the Sir J.J. Group of Hospitals on two occasions. She is diagnosed with a cyst, requiring immediate and continuous medical follow-up. He further submits that no offence is made

out against the present Applicant, and therefore, prays that the Applicant be released on bail.

6. Mr. Sonavane, learned APP representing the State, has drawn my attention to the detailed allegations contained in the statement of the First Informant. He has also drawn my attention to the video recording alleged to have been made by the Applicant and her husband, and the Panchanama relating thereto. The same clearly shows the Applicant and her husband disrobing the First Informant, cutting her hair and assaulting her. He also pointed to the medical certificate on record. He submits that the offence is serious and there is *prima facie* evidence sufficient to form a reasonable belief that the Applicant has committed the said offence. Thus, he prays that the application be rejected.

7. I have heard learned counsel for the respective parties and perused the record of the case with their assistance.

8. *Prima facie* it is clear from the recording that the applicant and her husband jointly assaulted the First Informant, and the present Applicant, in fact, cut her hair. Be that as it may, the Applicant is arrested on 13th May, 2025 and has four minor children. There is nobody to look after the said children.

9. The Applicant, being a woman, is also stated to be suffering from a medical condition, namely the development of a cyst in her body, which requires surgery. In view of these circumstances only, i.e. the Applicant is a woman; has to look after four minor children; is suffering from medical condition; and that there is no antecedent against the Applicant, I am inclined to release the Applicant on bail. It is accordingly ordered as under:-

ORDER

i) The Applicant be enlarged on bail, on executing PR Bond in the sum of Rs.25,000/ with one or two local sureties in the like amount;

ii) The Applicant is permitted to furnish provisional cash bail of Rs.25,000/- for her release immediately and file undertaking that she will provide one or two local sureties in the like amount of Rs.25,000/- within a period of four weeks after her release, which shall be accepted by the Trial Court. The Applicant shall provide the sureties as directed;

iii) The Applicant shall attend the Trial Court concerned on each and every date unless exempted by the orders of the Trial Court concerned;

iv) The Applicant shall also attend the Police Station concerned once in a month between 11:00 a.m. to 02:00 p.m., till the charges are framed;

v) If the Applicant has not deposited her passport, if any, the Applicant shall deposit the same with the Police Station concerned;

vi) The Applicant shall not leave India, without the permission of the Trial Court;

vii) The Applicant shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

viii) The Applicant shall inform her latest place of residence and contact number immediately after being released and / or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the Police Station concerned;

ix) The Applicant to co-operate with the conduct of the trial;

x) Any infraction of the aforesaid conditions shall entail cancellation of bail.

10. Application is allowed in the above terms and is accordingly disposed of.

11. It is made clear that the observations made herein are *prima facie* and are confined to this Application and the learned Trial Judge to decide the case on its own merits, uninfluenced by the observations made herein.

(DR. NEELA GOKHALE, J)