

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 4039 OF 2025

Sama Anas Shaikh	...Applicant
<i>Versus</i>	
The State of Maharashtra	...Respondent

Mr. Ashif Hussain a/w Shaijad Mansoori a/w Mohd. Rais a/w
Huzer Qureshi, for the Applicant.

Mrs. Sangeeta D. Shinde, APP, for the Respondent – State.

PSI – Ritesh Patil, Chunabhatti Police Station, Mumbai is present.

CORAM: R. M. JOSHI, J.

DATED: 18th APRIL, 2026

PC:-

1. Applicant seeks bail in connection with Crime No. 230 of 2024 registered with Chunabhatti Police Station, Mumbai for the offences punishable under Sections 302, 307, 326, 324, 323, 504, 506(2), 143, 144, 147, 148, 149, 120-B read with 34 of the Indian Penal Code, 1860 (for short, “IPC”) and Sections 37(1) (A), 135 of the Maharashtra Police Act.

2. In short, it is a case of the prosecution that at the intervening night of 7th June 2024 and 8th June 2024, an incident occurred in which Applicant and co-accused caused assault on informant, deceased and witnesses. The allegations against the present Applicant is that she pulled the deceased out

of the rickshaw and thereafter the other accused assaulted him with knife. There is also allegation against the Applicant that she used fists and blows in causing the said assault. After conclusion of investigation, chargesheet came to be filed.

3. Learned Counsel for the Applicant submits that the role attributed with the present Applicant is identical to co-accused Sana and Husnabano who are already enlarged on bail by the Trial Court. To support this submission, he drew attention of the Court to the First Information Report as well as statement on eye witnesses. He claims that Applicant has no criminal history and she is not likely to flee from justice.

4. Learned APP opposed the application by pointing out the statements of witnesses which indicates that the Applicant has pulled the deceased out of autorickshaw and thereby facilitated co-accused to cause assault on him. It is submitted that having regard to the serious nature of crime, this is not a case of grant of bail.

5. Applicant is a lady. The role attributed to her as it appears from the *prima facie* perusal of the statements of witnesses is identical to the co-accused Sana and Husnabano who are already enlarged on bail by the Trial Court. There is no allegation against the present Applicant that she used any weapon to cause assault on the deceased. Thus, at this stage it is difficult to distinguished her role from the role attributed to the co-accused who are on bail. The Applicant has no criminal

history and she is not likely to flee from justice. Hence, on parity she is entitled for bail. Hence, order.

ORDER

- i) Criminal Bail Application stands allowed in connection with Crime No. 230 of 2024 registered with Chunabhatti Police Station, Mumbai for the offences punishable under Sections 302, 307, 326, 324, 323, 504, 506(2), 143, 144, 147, 148, 149, 120-B read with 34 of the Indian Penal Code, 1860 and Sections 37(1)(A), 135 of the Maharashtra Police Act.
- ii) The Applicant be enlarged on bail, on furnishing P. R. Bond of Rs.25,000/- with one or two sureties in the like amount, to the satisfaction of the Trial Court.
- iii) The Applicant shall not tamper with evidence, or directly or indirectly contact, influence, threaten, or intimidate any witness.
- iv) The Applicant shall report to the Chunabhatti Police Station, Mumbai on the first Monday of every month between 10:00 a.m. and 12:00 Noon, until further orders.
- v) The Applicant shall not leave the territorial jurisdiction of the Trial Court without its prior written permission.

- vi) The Applicant shall not commit any offence or engage in any criminal activity during the pendency of the trial.
- vii) The Applicant shall, at the time of furnishing surety, provide his current residential address and mobile number to the Investigating Officer as well as the Trial Court, and shall inform the Court in writing of any changes in residence or contact details during the pendency of the case.
- viii) The Applicant to attend all dates of hearing before the Trial Court, unless exempted by specific order.
- ix) Any breach of the aforestated condition shall result forthwith into cancellation of bail.

6. In view of the above, Application stands allowed and disposed of accordingly.

7. It is clarified that the above observations are made on *prima facie* consideration of the material on record and the same shall not bind the parties during the final hearing of the Trial Case.

(R. M. JOSHI, J.)

VDMokal/-