

N.S.Kamble

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 4458 OF 2025

Asif Mustafa Shaikh

... Applicant

*Versus*

The State of Maharashtra

... Respondent

NILAM  
SANTOSH  
KAMBLE

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Mr.Nitin Satpute a/w Mr.Rachit Singh, Mr.Abhishek Bandekar, for the Applicant.

Mr.B.B. Kulkarni, APP for Respondent-State.

Mr.Bhingardive, PSI, Nigdi Police Station, Pune.

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CORAM : SHIVKUMAR DIGE, J.

DATE : 23<sup>rd</sup> FEBRUARY 2026

**P.C. :**

1. By this Application, the Applicant is seeking regular bail in Crime No.171 of 2025 registered with Nigdi Police Station, Pune, for the offences punishable under Sections 109, 118(1), 189(1), 189(2), 191(1) and 190 of the Bharatiya Nyaya Sanhita, 2023 ('BNS' for short) and Section 37(1)(c) read with Section 135 of the Maharashtra Police Act.

2. It is prosecution's case that on 1<sup>st</sup> June 2025, at around 10.45 p.m., the Applicant and co-accused assaulted the friend of First

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Informant with iron rod, gas pipe and paver block with an intention to kill him.

3. It is contention of learned counsel for the Applicant that there are no specific allegations against the Applicant about assaulting the injured. The co-accused having similar allegations have been released on bail. The Applicant is behind bars for more than eight months, and requested to allow the Application.

4. It is contention of learned APP that the Applicant and co-accused assaulted the injured with iron rod, gas pipe and paver block with an intention to kill him on account of old dispute. There are eye witness to the incident. The Applicant has one antecedent. The Applicant has actively participated in the said incident. If the Applicant released on bail, he may abscond or threaten prosecution witnesses, and requested to reject the Application.

5. I have heard both learned counsel. Perused charge-sheet and documents produced on record.

6. The Applicant is behind bars for more than eight months. The co-accused having similar allegations have been released on bail. Hence, the Applicant is entitled for bail on principle of parity and I

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pass following order.

**ORDER**

- (i) The Applicant-Asif Mustafa Shaikh be released on bail in Crime No.171 of 2025 registered with Nigdi Police Station, Pune , on furnishing PR bond of Rs.25,000/- with one or two solvent sureties in the like amount.
- (ii) The Applicant shall not tamper with the evidence and/or influence the prosecution witnesses.
- (iii) The Trial Court shall decide the case on its own merits and in accordance with law, uninfluenced by the observations made in this order.
- (iv) The Applicant shall attend the concerned Police Station as and when required.
- (v) Application is allowed in the aforesaid terms.

(SHIVKUMAR DIGE, J.)