

S.S.Kilaje

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 4465 OF 2025**

Lubna Abid Khan

... Applicant

Versus

The State of Maharashtra & Anr.

... Respondents

Mr. Aniket Vagal a/w. Savvy Kolhekar and Ms. Juhi Kadu, Advocates for the Applicant.

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

Adv. Mateen Shaikh a/w. Muskan Shaikh, Advocates for the Intervenor.

PSI – Mr. Sachin Desai, Mulani Shanti Nagar Police Station present.

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CORAM : SHIVKUMAR DIGE, J.

DATE : 9th JANUARY, 2026.

P.C. :

1. The applicant is seeking regular bail in C.R.No. 950 of 2024 registered with Shantinagar Police Station for the offences punishable under Sections 109, 143, 147, 148, 149, 302, 307 and 120(B) of Indian Penal Code, 1860 (for short "IPC"), Sections 4 and 25 of the Arms Act and under Sections 37(1) and 135 of the Maharashtra Police Act.

2. It is prosecution's case that on 02.04.2024, around 6.30 p.m., the applicant and co-accused assaulted the maternal uncle and family members of first informant, including first informant with sharp weapon

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with intention to kill them. In the said assault, both maternal uncles of the first informant died. The allegations against the applicant are that she provided sharp weapon to co-accused and by taking that sharp weapon, the co-accused assaulted the injured witness Shahbaz. It is alleged that the applicant tried to assault the injured witness Shahbaz.

3. It is contention of learned counsel for the applicant that the applicant is a lady having three minor children. CCTV footage shows that she tried to assault the injured witness Shahbaz. There are no allegations against her assaulting the deceased. The applicant is behind bar for more than six months. Investigation is completed. Chargesheet has been filed. She has no antecedents. It may take time to conclude the trial. Hence, requested to allow the appeal.

4. It is contention of learned APP along with learned counsel for intervenor that the applicant was part of the group, who assaulted the deceased and injured witnesses. The applicant was absconding after registration of crime and after filing the Petition before this Court, she has been arrested. The entire incident is captured in the CCTV footage. In the said footage, it is seen that the applicant tried to assault injured witness Shahbaz, who was seriously injured in the said assault. The applicant and prosecution witnesses stay in the same area. If applicant released on bail, she may threaten first informant and prosecution witnesses. Hence,

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requested to reject the application.

5. I have heard all learned counsel. Perused chargesheet and documents produced on record. The applicant's name is not mentioned in First Information Report (FIR). The statement of injured witness Shahbaz is recorded. In the said statement, he has not mentioned about the assault done by the applicant. In supplementary statement, which is recorded after two months, he has stated about the role of the applicant on the basis of CCTV Footage. The applicant is behind bar for more than six months. She is a lady. She has no antecedents. She has minor kids. The two year old son is staying with her inside the jail. Considering these facts, I pass following order:

ORDER

- i. The Applicant is released on bail in C.R.No. 950 of 2024 registered with Shantinagar Police Station, 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 evidence or attempt to influence the witnesses. The Applicant shall not contact the complainant, victim, witnesses or any other person

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concerned with present case.

- iv. The Trial Court shall not be influenced by the observations made in this order and shall decide the matter on its own merits and in accordance with law.
 - v. The applicant shall not enter in Bhiwandi City till recording of the evidence of the first informant and injured witness Mr. Shahbaz except attending the Court dates.
6. The Bail Application is allowed in the aforesaid terms and is accordingly disposed of.
7. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)