

N.S.Kamble

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 4861 OF 2025

Shaikh Nasir Abdul Nabi @ Pappu Dhagga ... Applicant

Versus

State Of Maharashtra ... Respondent

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Mr.Ishtiyak Shaikh a/w Mr.Ramchandra Wagh, for the Applicant.
Mr.B.B. Kulkarni, APP for Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 17th FEBRUARY 2026

P.C. :

1. By this Application, the Applicant is seeking regular bail in Crime No. 185 of 2025 registered with Pawarwadi Police Station, Malegaon, for the offences punishable under Sections 109, 189(2), 191(2), 191(3), 190, 351(2), 351(3), 352, 118(1) and 118(2) Bharatiya Nyaya Sanhita, 2023 ('BNS' for short) and Sections 3(25), 5(25) and 7(25) of the Arms Act.

2. It is prosecution's case that on 29th July 2025 co-accused fired shot from country made firearm at the First Informant and thereafter assaulted him with sickle and iron pipes with an intention to kill him. The

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allegations against the Applicant are that pistol used in the crime was provided by the Applicant.

3. It is contention of learned counsel for the Applicant that at the time of the incident, the Applicant was not present. The allegations against him are that he provided pistol used in the crime. The Applicant is behind bars for more than six months. The Applicant has no antecedents. There is no progress in trial. The two co-accused, who were present at the time of incident, have been released on bail, and requested to allow the Application.

4. It is contention of learned APP that, the co-accused fired shot at the First Informant and thereafter assaulted him with sickle and iron rod with an intention to kill him. Due to shot fired from the said country made pistol, the First Informant has sustained serious injuries. The said pistol was provided by the Applicant to the co-accused. 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. Admittedly, at the time of the incident, the Applicant was not present. The allegations against the Applicant are that he provided pistol used in the crime to the co-accused. The two co-accused, who were present

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at the time of the incident, have been released on bail. The Applicant is behind bars for more than six months.

7. Considering these facts, I pass following order.

ORDER

- (i) The Applicant-Shaikh Nasir Abdul Nabi @ Pappu Dhagga be released on bail in Crime No. 185 of 2025 registered with Pawarwadi Police Station, Malegaon, 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.)