

N.S.Kamble

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 489 OF 2026

Nadeem Niyaz Ahmad Khalifa ... Applicant

Versus

The State of Maharashtra ... Respondent

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Mr.Akshay Shah a/w Mr.Harsh Shah, for the Applicant.
Ms.Gauri Rao, APP for Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 13th MARCH 2026

P.C. :

1. By this Application, the Applicant is seeking regular bail in Crime No.390 of 2025 registered with Nashik Road Police Station, Nashik City, District-Nashik, for the offences punishable under Sections 310(10), 309(6), 238, 3(5) of the Bharatiya Nyaya Sanhita, 2023 ('BNS' for short) and Sections 3(25) and 4(25) of the Arms Act.

2. It is prosecution's case that on 31st July 2025, around 9.30 a.m. to 10.00 a.m., four unknown persons entered in the house of the First Informant, and threatened his daughter with knife and pistol and robbed clothes and CCTV NVR worth Rs.10,000/-.

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3. It is contention of learned counsel for the Applicant that the Applicant is behind bars for more than seven months. The Applicant has no antecedents. There is no recovery at the instance of the Applicant. No Test Identification Parade has been taken. It may take time to conclude the trial, and requested to allow the Application.

4. It is contention of learned APP that, the Applicant and co-accused entered in the house of the First Informant, threatened daughter of First Informant with knife and pistol and robbed clothes and CCTV NVR. If the Applicant released on bail, he may abscond or threaten First Informant and prosecution witnesses, and requested to reject the Application.

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

6. There is no recovery at the instance of the Applicant. The Applicant is behind bars for more than seven months. No Test Identification Parade is taken. To prove the involvement of the Applicant in the crime evidence is required and I pass following order.

ORDER

- (i) The Applicant be released on bail in Crime No.390 of 2025 registered with Nashik Road Police Station, Nashik City,

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District-Nashik, 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.)