

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

BAIL APPLICATION NO. 574 OF 2026

Imran Imamshahab Shaikh

...Applicant

Versus

State of Maharashtra

...Respondent

Mr. Ravi Shankar Dwivedi, a/w Satish Shukla, Sainath Baji
and Aditya Gole, *for the Applicant.*

Ms. Anuja Sunil Gotad, *APP for the Respondent-State.*

CORAM DR. NEELA GOKHALE, J.
DATED: 13th FEBRUARY 2026

PC:-

1. By this Application, the Applicant seeks his enlargement on bail in connection with C.R. No.303 of 2025 dated 24th March, 2025 registered with the Juhu Police Station, Brihanmumbai City for the offences punishable under Sections 103(1) , 118(1), 189(2), 189(4), 191(2), 191(3), 190, 127(2), 115(2), 140, 61(2), 351(2) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS'), Sections 4 and 25 of the Arms Act, 1959 and Section 37 of the Maharashtra Police Act, 1951.

2. There are in all nine accused, two of them have been protected by orders of the Sessions Court granting them anticipatory bail. Another co-accused has been enlarged on regular bail. The present Applicant is Accused no.6.

3. It is the case of the prosecution that all the accused forming an unlawful assembly committed the murder of the deceased by means of knife, *Sattur* and bamboo stick. The role of the present Applicant is that he assaulted the deceased by means of a bamboo. Hence, he was arrested on 24th March, 2025 pursuant to registration of the FIR.

4. The present Applicant made an application seeking bail before the Sessions Court at Dindoshi (Borivali Division), Goregaon Mumbai. However, by order dated 13th January, 2026, his bail application was rejected. Hence, the Applicant is before this Court seeking the relief as prayed.

5. Mr. Ravi Dwivedi, learned counsel appearing for the Applicant, states that the FIR as well as the statement of

the witness indicates that the present Applicant allegedly assaulted the deceased on his head by means of a bamboo stick. However, the postmortem report clearly indicates that the cause of death of the deceased is by stabbing. It appears that there are other accused, who had been in possession of knife and the role of the Applicant is limited to allegedly assaulting the deceased by a bamboo stick. Hence, Mr. Dwivedi submits that the alleged role of the Applicant is not the cause of death of the deceased and hence, he be released on bail.

6. *Per contra*, Ms. Anuja Gotad, learned APP, submits that there are statements of the witnesses, which are consistent with the narration given by the brother of the deceased, who is the First Informant. The FIR as well as the Victim's statement clearly indicate that the present Applicant was at the spot and also participated in the assault of the deceased. Thus, she prays that the Bail Application be rejected.

7. I have heard the counsel counsel appearing for the respective parties and perused the record with their assistance.

8. The postmortem report clearly indicates that the cause of death is by stabbing as well as the statement of the First Informant clearly indicates that the Applicant was carrying a bamboo stick and no knife was recovered from him.

9. In fact, two of the accused, who are found to be assaulting with chopper and *Sattur*, have been granted anticipatory bail. However, considering that two accused are protected by orders of the Sessions Court, granting them anticipatory bail and another accused having role identical to that of the present Applicant is already enlarged on regular bail, I am inclined to enlarge the present Applicant on bail on the principle of parity and it is ordered as under:-

ORDER

i) The Applicant be enlarged on bail, on executing PR Bond in the sum of Rs.50,000/ with one or two local sureties in the like amount;

ii) The Applicant shall attend the Police Station concerned, on first Monday of every month between 10:00 a.m. and 12:00 p.m., till the charges are framed. He shall also attend the Trial Court concerned on each and every date as directed, till the conclusion of the trial, save and except if the Applicant is exempted from appearance by orders of the Trial Court.

iii) If the Applicant holds a passport, he shall deposit the same with the Police Station concerned;

iv) The Applicant shall not leave India, without permission of the trial Court;

v) The Applicant shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

vi) The Applicant shall inform his latest place of residence and mobile contact number immediately after being released and / or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

vii) The Applicant to co-operate with the conduct of the trial;

viii) Any infraction of the aforesaid conditions shall entail cancellation of bail.

10. Bail Application is allowed in the above terms and is accordingly disposed of.

11. It is made clear that the observations made herein are *prima facie* and are confined to this Application and the Trial Judge to decide the case on its own merits, uninfluenced by the observations made herein.

(DR. NEELA GOKHALE, J)