

Shubhada S Kadam

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

BAIL APPLICATION NO. 707 OF 2026

Amjad Afzal ShaikhApplicant

VERSUS

The State Of MaharashtraRespondent

Mr. Hasnain Kazi, Ms. Shraddha Vavhal and Ms. Simran Shaikh i/b. Mr. Imtiyaz Shaikh, Advocate for Applicant.

Mr. S. S. Pednekar, APP for Respondent-State.

API-Amit Shete, Kalepadal Police Station, Pune City, present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 27th MARCH, 2026.

P.C. :

1. By this application, the applicant is seeking regular bail in Crime No. 435 of 2025 registered with Kalepadal Police Station, District Pune, for the offences punishable under Sections 109, 115(2), 118(2), 189(2), 189(4), 190, 191(2), 191(3), 352 and 111 of the Bharatiya Nyaya Sanhita, 2023.

2. It is prosecution's case that on 25th October 2026, the applicant and co-accused assaulted the first informant and his brother with sharp weapons with the intention to kill them on the ground of an old dispute.

3. It is contention of learned counsel for the applicant that the applicant has filed a complaint against the first informant and his brother

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and is, in fact, a victim. There are no allegations in the FIR that he assaulted the first informant with a sharp weapon, the allegations are against the co-accused. The applicant is behind bars for more than five months. There is no progress in the trial. Hence, requested to allow the application.

4. It is contention of learned APP that the applicant has antecedents. He, along with the co-accused, assaulted the first informant and his brother with sharp weapons with the intention to kill them. The first informant has suffered serious injuries. If the applicant is released on bail, he may abscond or threaten the prosecution witnesses. Hence, requested to reject the application.

5. I have heard both learned counsel, perused charge sheet and documents produced on record. The applicant is behind bars for more than five months. The main allegations are against the co-accused-Aayan, who assaulted the first informant with a knife. It may take time to conclude the trial. It appears from the record that the applicant has filed a complaint against the first informant and his brother. Considering these facts, I pass the following order:

ORDER

- (i) The applicant be enlarged on bail in Crime No. 435 of 2025 registered with Kalepadal Police Station, District Pune, on

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executing P.R.Bond in the sum of Rs.30,000/- with 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 the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

The application is allowed in the aforesaid terms and is accordingly disposed of.

6. It is made clear that the above observations are made only for the purpose of granting bail and the Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the observations made in this order.

7. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)