

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

ANTICIPATORY BAIL APPLICATION NO.50 OF 2026

Afzal Aslam Siddique

... Applicant

V/s.

The State of Maharashtra

... Respondent

Mrs. Vilasini Balsubramaniyam a/w Parthraj Ware i/by Vinod Kendre for the Applicant.

Mr. Shahaji Shinde, 'B' Panel Counsel for the Respondent-State.

Ms. Nikhat Khan for the Intervenor.

CORAM : N.R. BORKAR, J.

DATE : 20TH JANUARY 2026

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1. This is an Application for anticipatory bail.
2. The Applicant is apprehending his arrest in Crime No.1102 of 2025 registered with Sakinaka Police Station for the offences punishable under Sections 3(5), 352, 351(2), 118(2), 115(2) of the Bharatiya Nyaya Sanhita, 2023.
3. It is the case of the prosecution that on 24th November 2025 at around 00.30 hours the first informant went to Opa Club at Peninsula Hotel for a music concert. It is alleged that altercation took place over music and during the said altercation, the present Applicant and the other co-accused assaulted the first informant by fist and kick blows. It is alleged that the present Applicant picked up the stone, which was lying at the place of incident and assaulted the first informant on his chest.

4. I have heard Learned Counsel for the Applicant, Learned 'B' Panel Counsel for the Respondent-State and Learned Counsel for the first informant.

5. Learned Counsel for the Applicant submits that the incident was not premeditated. It is submitted that there are no other criminal antecedents against the Applicant. Learned Counsel for the Applicant, on instructions, submits that the Applicant, without prejudice to his rights and contentions, is ready and willing to pay an amount of Rs.25,000/- to the first informant towards the medical expenses.

6. On the other hand, Learned 'B' Panel Counsel for the Respondent-State and Learned Counsel for the first informant submits that that the present Applicant has assaulted the first informant by stone. It is submitted that due to the said assault, the first informant had sustained grievous injury. It is submitted that considering the nature of crime, the Applicant may not be released on anticipatory bail.

7. I have perused the FIR. *Prima-facie*, the incident does not appear to be premeditated. There are no other criminal antecedents against the present Applicant. Considering the overall facts and circumstances, I am inclined to release the Applicant on anticipatory bail. Hence, the following order:-

ORDER

- i. The Anticipatory Bail Application is allowed.

- ii. In the event of the arrest of the Applicant in Crime No.1102 of 2025 registered with Sakinaka Police Station for the offences punishable under Sections 3(5), 352, 351(2), 118(2), 115(2) of the Bharatiya Nyaya Sanhita, 2023, he shall be released on bail on furnishing a PR Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one or two sureties in the like amount.
 - iii. The Applicant shall attend the concerned Police Station as and when called for by the investigating officer and shall co-operate in the investigation.
 - vi. The Applicant shall hand over the Demand Draft of Rs.25,000/-, issued in the name of the first informant, to the investigating officer within a period of four weeks. The investigating officer shall in turn hand over the said Demand Draft to the first informant.
8. The Anticipatory Bail Application is disposed of in the aforesaid terms.

(N.R. BORKAR, J.)