

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

ANTICIPATORY BAIL APPLICATION NO.389 OF 2026

Nitesh Dhanaji Shinde

... Applicant

Vs.

The State of Maharashtra

... Respondent

Mr. Kishor H. Hase for the Applicant.

Mr. V. N. Sagare, APP for the Respondent-State.

API Hemant Dhole, Manpada PS, Dombivali is present.

CORAM : N.R. BORKAR, J.

DATE : 12TH FEBRUARY 2026

PC. :

1. This is an Application for anticipatory bail.
2. The Applicant is apprehending his arrest in Crime No.1449 of 2025 registered with Manpada Police Station for the offences punishable under Sections 110, 118(1), 115(2), 352, 3(5) of the Bharatiya Nyaya Sanhita, 2023.
3. The first informant and the present Applicant reside in the same residential complex along with their families. It is the case of the prosecution that on the date of incident, which took place on 30th November 2025, on the basis of some previous trivial issue, a dispute arose between the first informant and his family members on one side and the Applicant and his family members on the other side. It is alleged that during the said dispute, the present Applicant and his friend assaulted the

first informant with an iron, due to which the first informant sustained grievous injuries. It is alleged that the Applicant also assaulted the brother-in-law of the first informant, due to which he sustained grievous injuries on his head. Accordingly, the present crime came to be registered.

4. I have heard Learned Counsel for the Applicant and Learned APP for the Respondent-State.

5. Learned Counsel for the Applicant submits that there is a cross FIR in relation to the alleged incident, as the Applicant was also injured in the alleged incident. It is submitted that the alleged incident was not premeditated. It is submitted that there are no other criminal antecedents against the present Applicant and the Applicant is ready and willing to cooperate in the investigation.

6. On the other hand, Learned APP for the Respondent-State submits that the present Applicant has assaulted the first informant and his brother-in-law with an iron rod on his head. 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 alleged incident does not appear to be premeditated. There is a cross FIR in relation to the alleged incident. There are no other criminal antecedents against the present Applicant. Considering the facts and circumstances of the case, 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.1449 of 2025 registered with Manpada Police Station for the offences punishable under Sections 110, 118(1), 115(2), 352, 3(5) 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.
 - iv. Till the conclusion of trial, the Applicant shall not enter into the jurisdiction of Manpada Police Station except to attend the concerned Police Station for the purpose of investigation.
8. The Anticipatory Bail Application is disposed of in the aforesaid terms.

(N.R. BORKAR, J.)