

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 638 OF 2026

Abdul Kareem Mohd. Adib
Siddiqui @ Hakikur Rehman ...Applicant
V/s.
The State of Maharashtra ...Respondent.

AND

ANTICIPATORY BAIL APPLICATION NO. 650 OF 2026

Maudarrahan Mohd. Adil @ Jhinuk ...Applicant
V/s.
The State of Maharashtra ...Respondent.

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Mr. Gaurav Bhawnani for the Applicants.
Mr. P.H. Gaikwad, APP for the Respondent/State in ABA/638/26.
Mr. Swapnil V. Walve, APP for the Respondent/State in ABA/650/26.
PI Barawkar & PSI Pravin Kadam, Nagpada Police Station are present.

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CORAM : N.R. BORKAR, J.
DATE : 12.03.2026.

P.C. :

1. Both these applications filed for anticipatory bail are arising out of one and the same crime. They are thus being disposed of by this common order.
2. The applicants are apprehending their arrest in Crime No.46 of 2026 registered at Nagpada Police Station for the offences punishable under Sections 109(1), 118(1), 118(2), 189(4), 190, 191(3), 351(2) and 352 of the Bharatiya Nyaya Sanhita, 2023 (BNS).

3. It is the case of the prosecution that there was a financial dispute between the first informant and the co-accused in the present crime. It is alleged that on account of said financial dispute, on the date of incident which took place on 29th January 2026, the present applicant and other co-accused assaulted the first informant and the other injured in the present crime by wooden stick and iron rod and attempted to commit their murder.

4. I have heard the learned counsel appearing for the applicant and the learned APP for the respondent / State.

5. Learned counsel for the applicants submits that on the date of incident the first informant and his associates were aggressor and assaulted the present applicants and their relative Abdul Kadir, who died due to said assault. It is submitted that thus there is a cross FIR for the offence punishable under Section 103 of the B.N.S. It is submitted that even otherwise no specific overt-act is attributed to the present applicants. It is submitted that there are no other criminal antecedents against the applicants.

6. On the other hand learned APP for the respondent/State submits that there are in all four injured in the present crime. It is submitted that one of the injured sustained grievous injury. Learned APP submits that considering the nature of crime, the applicants may not be released on anticipatory bail.

7. I have perused the present FIR. No specific *overt-act* is attributed to the present applicants. The alleged grievous injury

sustained by the Mobin Siddiqui is not attributed to the present applicants.

8. There is a cross FIR against the first informant and his associates for the offence of murder. There are no other criminal antecedents against the applicant. Considering the overall facts and circumstances, I am inclined to release the applicants on anticipatory bail. In the result, the following order is passed.

ORDER

- A) The Applications are allowed.
- B) In the event of arrest of the applicants in C.R. No.46 of 2026 registered at Nagpada Police Station for the offences punishable under Sections 109(1), 118(1), 118(2), 189(4), 190, 191(3), 351(2) and 352 of the Bharatiya Nyaya Sanhita, 2023 (BNS), they be released on bail on executing P.R. Bond in the sum of Rs.25,000/- each with one surety or two sureties in the like amount.
- C) The applicants shall attend the concerned police station as and when called by the Investigating Officer and shall cooperate in the investigation.
- D) The applicants shall not commit any other crime.

[N.R.BORKAR, J.]