

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 711 OF 2026

Azfar Samar Khan ...Applicant
V/s.
State of Maharashtra ...Respondent.

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Mr. Om Latpate a/w. Mr. Jitendra S. Sawant and Ms Nishi Singhvi
for the Applicant.
Ms Shilpa G. Talhar, APP for the Respondent/State.
API Sachin Thorat, Kondhwa Police Station is present.

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CORAM : N.R. BORKAR, J.
DATE : 18.03.2026.

P.C. :

1. This is an application for anticipatory bail.

2. The applicant is apprehending his arrest in Crime No. 81 of 2026 registered at Kondhwa Police Station, Pune for the offences punishable under Sections 109(1), 115(2), 118(1), 118(2), 352, 351(2), 189(2), 191(2) & 190 of the Bharatiya Nyaya Sanhita, 2023, Sections 4 and 25 of the Arms Act and Section 37(1)(3) read with 135 of the Maharashtra Police Act.

3. It is the case of the prosecution that on the date of incident, which took place on 4th February 2026, on account of previous dispute the present applicant and other co-accused initially assaulted the first informant by sharp weapons and then to his relatives, who came to see him in the hospital.

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

5. Learned counsel for the applicant submits that the applicant is not involved in the second incident. It is submitted that no *overt-act* is attributed to the present applicant in the first incident. It is further submitted that there are no other criminal antecedents against the applicant.

6. On the other hand, learned APP for the respondent/State submits that the applicant was a part of the unlawful assembly. It is submitted that considering the nature of crime, the applicant may not be released on anticipatory bail.

7. I have perused the FIR. No *overt-act* is attributed to the present applicant. There are no other criminal antecedents against the present applicant. In that view of the matter, I am inclined to release the applicant on anticipatory bail. In the result, the following order is passed.

ORDER

A) The Application is allowed.

B) In the event of arrest of the applicant in C.R. No. 81 of 2026 registered at Kondhwa Police Station, Pune for the offences punishable under Sections 109(1), 115(2), 118(1), 118(2), 352, 351(2), 189(2), 191(2) & 190 of the Bharatiya Nyaya Sanhita, 2023, Sections 4 and 25 of the Arms Act and

Section 37(1)(3) read with 135 of the Maharashtra Police Act, he be released on bail on executing P.R. Bond in the sum of Rs.25,000/- with one surety or two sureties in the like amount.

C) The applicant shall attend the concerned police station as and when called by the Investigating Officer.

[N.R.BORKAR, J.]