

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 842 OF 2026

1. Fahim Sayyed s/o. Hashin Sayyed
 2. Nadeem Haseen Sayyed
 3. Salim Hasin Sayyed
 4. Shere Farid Nijamudin Mujawar @ Sheru ...Applicants
V/s.
- State of Maharashtra & Anr. ...Respondents.

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Mr. Ayyub B. Patel i/b Mr. Bashir Patel for the Applicants.
Mr. P.H. Gaikwad, APP for the Respondent/State.
Mr.Shadab Khopekar for Respondent No.2.
PSI Sonam Deshmukh, Powai Police Station is present.

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CORAM : N.R. BORKAR, J.
DATE : 02.04.2026.

P.C. :

1. This is an application for anticipatory bail.
2. As the criminal antecedents against the applicant No.4 are not disclosed in the present application, learned counsel for the applicants seeks leave to withdraw the present application *qua* the applicant No.4 – Shere Farid Nijamudin Mujawar @ Sheru with liberty to file a fresh application for anticipatory bail disclosing the criminal antecedents against him.
3. The applicant Nos.1 to 3 are apprehending their arrest in Crime No.236 of 2026 registered at Powai Police Station, Mumbai for the offences punishable under Sections 352, 115, 118(1), 118(2) and 3(5) of the Bharatiya Nayaya Sanhita, 2023.

4. It is the case of the prosecution that on the date of incident which took place on 3rd March 2026, the present applicants and the other co-accused assaulted the first informant by fist and kick blows and also by a stick. It is alleged that due to said assault, the first informant sustained grievous injuries.

5. I have heard the learned counsel appearing for the applicant Nos.1 to 3, the learned APP for the respondent/State and the learned counsel for the respondent No.2.

6. Learned counsel for the applicant Nos.1 to 3 submits that the applicants have nothing to do with the alleged crime. It is submitted that there is no need of custodial interrogation and the applicant Nos.1 to 3 are ready and willing to cooperate in the investigation. It is further submitted that there are no other criminal antecedents against the applicant Nos.1 to 3. Learned counsel for the applicant Nos.1 to 3 submits that without prejudice to their rights and contentions, the applicant Nos.1 to 3 are ready and willing to pay an amount of Rs.30,000/- to the first informant towards the medical expenses.

7. On the other hand, learned APP for the respondent/State and the learned counsel for the respondent No.2/first informant submit that the applicant Nos.1 to 3 have assaulted the first informant by fist and kick blows. It is submitted that considering the nature of crime, the applicant Nos.1 to 3 may not be released on anticipatory bail.

8. I have perused the first information report. *Prima facie*, the incident does not appear to be premeditated. There are no other criminal antecedents against the applicant Nos.1 to 3. In that view of the matter, I am inclined to release the applicant Nos.1 to 3 on anticipatory bail. In the result, the following order is passed.

ORDER

A) The Anticipatory Bail Application qua the applicant No.4 is disposed of as withdrawn with liberty as sought.

B) In the event of arrest of the applicant Nos.1 to 3 in C.R. No.236 of 2026 registered at Powai Police Station, Mumbai for the offences punishable under Sections 352, 115, 118(1), 118(2) and 3(5) of the Bharatiya Nayaya Sanhita, 2023, 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 applicant Nos.1 to 3 shall attend the concerned police station as and when called by the Investigating Officer and shall cooperate in the investigation. After filing of charge-sheet, applicant Nos.1 to 3 shall attend the concerned police station once in a month, i.e., on 1st Saturday in between 11.00 a.m. to 2.00 p.m., till conclusion of trial.

D) The applicants Nos.1 to 3 shall hand over the demand draft of Rs.30,000/- to the Investigating Officer within a

period of six weeks. The Investigating Officer shall thereafter handover the said Demand Draft to the respondent No.2/first informant.

- 9] The Application is disposed of in the aforesaid terms.

[N.R.BORKAR, J.]