

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

Cri. Anticipatory Bail Application No. 880 of 2026

Shahbaj Gaus Shaikh

Aged 24 years, Occupation: Driver,

Residing at Patra Chawl,

Maharashtra Nagar, Trombay,

Mumbai – 400 088.

... Applicant

Versus

The State of Maharashtra

(At the instance of Inspector of

Trombay Police Station)

... Respondent

Mr Keshav S Chavan, for the Applicant.

Ms Anagha A Deshmukh, APP, for the Respondent / State.

PI Vijay Garud (IO) and PSI Nitin Palande, Trombay Police Station, Mumbai, is present.

Coram: R.N. Laddha, J.

Date: 7 April 2026

P.C.:

By this application, the applicant seeks pre-arrest bail in connection with CR No.50 of 2026, registered at Trombay Police Station, Mumbai, for offences punishable under Sections 37(1)(a) read with 135 of the Maharashtra Police Act, 1951, and Sections 109, 115(2), 189(2), 190, 191(2), 351(2) and 352 of the Bharatiya Nyaya Sanhita, 2023.

2. It is the case of the prosecution that on 7 February 2026, the applicant, along with the co-accused, formed an unlawful assembly, verbally abused and assaulted the informant using a knife and fist and kick blows.

3. The learned Counsel appearing on behalf of the applicant, asserting the applicant's innocence, submits that the applicant has been falsely implicated in the crime. He further submits that the sole accusation against the applicant is that he assaulted the informant with punches. There are no allegations of use of any weapon by the applicant, and the weapon allegedly used by the co-accused in the crime has already been seized. Nothing is to be recovered or discovered at the applicant's behest. The applicant is ready to abide by any conditions this Court imposes.

4. The learned Additional Public Prosecutor representing the respondent/ State, acknowledges that the investigation is complete and the charge sheet will be filed shortly. The weapon used in the crime has already been recovered. The learned APP, on instructions from the investigating officer present in the Court, submits that the applicant's custody is not required.

5. From a perusal of the records, it appears that the only role attributed to the applicant was that he assaulted the informant

with fist blows while the co-accused had allegedly assaulted the informant with a knife. There is no allegation of using any weapon by the applicant. The weapon allegedly used by the co-accused has been recovered, and the investigation has concluded. The learned APP informs the Court that the charge sheet will be filed shortly. In addition, on instructions from the investigating officer present in the Court, the learned APP submitted that the applicant's custody is not required. In these circumstances, this Court is inclined to exercise its discretion in favour of the applicant. Hence, the following order:

ORDER

- (i) In the event of the applicant's arrest in connection with CR No.50 of 2026, registered at Trombay Police Station, Mumbai, the applicant shall be released on bail upon executing a PR Bond of Rs.25,000/- and furnishing one or more sureties in the like amount.
- (ii) The applicant, himself or through any other person, shall not tamper with the evidence or influence witnesses.

6. The application stands disposed of accordingly.

[R.N. Laddha, J.]