



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (ABA) NO. 826 OF 2025

Abdul Nazeer S/o. Abdul Qadeer

Vs.

The State of Maharashtra

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri A. R. Ingole, Advocate for applicant.
Ms. Harshada Prabhu, APP for non-applicant no. 1/State.
Shri Ashish P. Chaware, Advocate for assist to prosecution.

CORAM :- M. W. CHANDWANI, J.

DATED :- 05.02.2026

Heard.

2. The applicant is seeking anticipatory bail in connection with Crime No. 155/2025 registered with Police Station, Nandura, District Buldhana for the offences punishable under Sections 109, 352, 351(2), 351(3) r/w. 3(5), 45, 13 of the Bhartiya Nyaya Sanhita, 2023.

3. The learned counsel for the applicant contented that no assault has been attributed to the applicant. The main accused who assaulted the victim has already been arrested and released on regular bail. According to him, nothing is required to be seized from the present applicant and the applicant is ready to co-

operate in the investigation. Therefore, he prayed for grant of anticipatory bail.

4. The learned APP on the other hand, submitted that even though the FIR does not speak about the assault by the applicant, however the victim in his submission has specifically stated that the present applicant also assaulted him on his shoulder by means of a knife. According to her, active role has been played by the applicant in the crime and therefore, the applicant is not entitled for anticipatory bail and sought rejection of the application.

5. Perusal of the FIR reveals that on 06.04.2025 at about 10:00 am, when the complainant was present at his Jam-jam Pan Center at Athawari Market, he heard quarreling at Macchi Market and went there. The applicant along with other co-accused came there and one of the co-accused assaulted the victim by means of knife on his stomach. When one Sheikh Nadim Shaikh Rahim came to the rescue of the victim, he was also assaulted by other co-accused Shaikh Ansar Shaikh Mukhtar.

6. Though, it is not mentioned in the FIR but the statement of the victim reveals that the present applicant also assaulted him on his shoulder by means of knife, whereby he sustained bleeding injury. No doubt, the charge-sheet has already been filed but the fact

remains that the applicant himself assaulted the victim and played an active role in the assault.

7. Hence, considering the nature of the offence and more particularly, the fact that the applicant has actively participated in the assault, no case is made out for grant of anticipatory bail. Hence, the application is rejected.

(M. W. CHANDWANI, J.)