



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO. 383 OF 2026

(Humza Abdul Wahid Sheikh V/s The State of Maharashtra)

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. A. J. Mirza, Advocate for Applicant.

Mr. K. R. Lule, APP for Non-applicant/State.

CORAM : PRAVIN S. PATIL, J.
DATE : JUNE 12, 2026.

. Heard.

2. By the present Application, Applicant is seeking pre arrest bail in Crime No. 175/2026 registered with Police Station, Padoli, Chandrapur for the offence punishable under Sections 303(2) read with Section 3(5) of Bhartiya Nyay Sanhita, 2023.

3. At the outset, learned Counsel for the Applicant has pointed out to this Court that vide order dated 12/5/2026 this Court has granted ad interim protection and directed the Applicant to attend the concerned Police Station on 16th and 17th May, 2026 between 12.00 noon to 3.00 p.m. Accordingly, the Applicant has attended the Police Station and tendered full co-operation to the investigation agency. This fact is not disputed by the learned APP in the matter.

4. In the present case, allegations are levelled against the unknown person alleging that two four-wheeler vehicles i.e.

Tavera Jeep bearing registration No. MH-31-CV-8165 and Skoda bearing registration No. MH-02-AQ-8001, which were parked at Haider Complex, Padoli Chowk, Padoli, as there was no sufficient space in the premises of Police Station, were found missing.

5. On 16/3/2026 when the Informant checked the said seized vehicles, he found aforesaid vehicles missing from that place. Accordingly, the offence came to be registered against the unknown person. During the course of investigation it is revealed that present Applicant, along with others, have stolen the said seized vehicles, and therefore, their names were included in the present offence.

6. The Applicant has approached before this Court with a specific submission that he is dealing with the business of sale-purchase of old vehicles. According to him, the allegations, which are levelled against him, are totally incorrect. According to him, he was not aware as to whether the vehicles, which are involved in the matter, are already seized by the Police Officers in any crime. Since he is dealing in sale-purchase business of vehicles, he has been deliberately involved in the alleged offence.

7. It is seen from the record that on the statement of co-accused, Applicant is made accused in the present crime. However, it is pertinent to note that the truck has been seized from the other accused person, only allegation levelled against the Applicant is that the amount of Rs.30,000/- was directed to pay to the

Applicant. Hence, in my opinion, on such accusation, custody of the Applicant would not be necessary. Furthermore, there are no criminal antecedents against the Applicant.

8. It is noteworthy that as per the directions given by this Court vide order dated 12/5/2026, the Applicant has attended the Police Station and tendered his full co-operation to the investigation agency. As such, considering this aspect of the matter, in my opinion, liberty of Applicant can be protected by imposing certain conditions till filing of the chargesheet. In the result, following order is passed.

ORDER

1. Criminal Application is allowed.
2. In the event of arrest in Crime No. 175/2026 registered with Police Station, Padoli, Chandrapur for the offence punishable under Sections 303(2) read with Section 3(5) of Bhartiya Nyay Sanhita, 2023, Applicant – Humza Abdul Wahid Sheikh be released on furnishing PR Bond in the sum of Rs. 50,000/- with one solvent surety in the like amount.
3. The Applicant shall attend the concerned Police Station on Saturday and Sunday of week for a period of three weeks and thereafter attend the concerned Police Station as and when called by the Investigating Officer.

4. The Investigation Officer is directed to give one day prior intimation to the Applicant as and when his presence is required.
5. The Applicant shall, at the time of execution of bond, furnish his address and telephone/mobile number(s) to the Investigating Officer and the Court concerned, and shall not change the same till the final disposal of the case.
6. The Applicant shall not obstruct or hamper the police investigation and not play mischief with the evidence collected or yet to be collected by the Police.
7. The Applicant shall not indulge in any offence such like the one in the present matter.
8. In case of breach of any condition, the learned trial court is at liberty to cancel the bail after giving opportunity of hearing to both the sides.
9. The Criminal Application stands disposed of accordingly.

[PRAVIN S. PATIL, J.]

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