

MHBU040003172026



**Order below Exh. 1 in Anti.Cri.Bail Application No.89/2026**  
**( Nazir Khan Rashid Khan Vs. State of Maharashtra )**  
**( Passed on 12.03.2026)**

1. Apprehending the arrest in Crime No.38/2026 applicant/accused namely **Najir Khan Rashid Khan** has preferred anticipatory bail application under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, registered at Police station Jalgaon Jamod for the offence punishable under Sections 109(1), 118(1), 189(2), 191(2), 190, 152 of the Bharatiya Nyaya Sanhita, 2023.
2. Investigating officer and learned APP Mr.S.B. Ingle have resisted the application by filing say at Exh.6. It is contended that alleged offence is serious offence and investigation is in progress. The cloths wearing by the accused at the time of incident are yet to be seize. Applicant is main accused who by stick assaulted on the complainant with intention to kill him. His custodial interrogation is necessary. The complainant and accused are belong to different religion and residing adjacent to each other, therefore, if he released on bail then quarrel is likely to be taken place. If accused released on bail then he will pressurize the complainant and witnesses. Crime no.352/2017 under Section 324, 504, 506 of IPC is pending against applicant. Hence, requested to reject the bail application.

3. Learned advocate Mr.M.S.Kharat for the applicant has submitted that there is 5 hours delay in lodging the FIR. Applicant was not present on the spot at the time of incident. He is innocent and earning member of his family. It is further submitted that applicant is ready to co-operate in investigation and abide each and every condition imposed while releasing on bail. Therefore, he urged for releasing the applicant on anticipatory bail.

4. Learned APP Mr. SB,Ingle , has argued as per the say vide Exh.6 in the line of FIR and say of investigating officer and urged to reject the application.

5. I have considered the submissions of both side. Perused the application and say filed by the prosecution. I have gone through the entire documents and police papers placed on record.

6. As per contents of the F.I.R., complainant Umesh Prakash Tayde, resident of Talavpura, Jalgaon Jamod has lodged the report on 20/01/2026 against total seven accused in which present applicant is accused No. 2. It is alleged that, on 20/01/2026 at about 01:00 p.m. when he was at his house, at that time the employee of Sanitary Department of Municipal Council, Jalgaon Jamod came for inspection. Because, he had given complaint with the Municipal Council as the accused had a cattle shed behind the house of complainant and the animal dung, urine, and household waste were being dumped there, causing inconvenience to his family. It is alleged that, after departure of employee of Municipal Council at about 1:30 p.m. complainant was in front of his house. At that time, accused No. 1 Rashid Khan Sarabat Khan, accused No. 2 Nazir Khan Rashid Khan, accused No. 3 Jalil @ Jamil Khan Rashid Khan, accused No. 4 Shadik Khan Hamid Khan,

accused No. 5 Rajuk Khan Hamid Khan, accused No. 6 the son of Iliyas Pathan, accused No. 7 the wife of Nazir Khan came near the house of complainant. Accused Nazir Khan and Jalil Khan were armed with sticks. They asked complainant, why he had called the employee of Municipal Council and threatened to kill him. They have by stick assaulted on the head of complainant, due to it, he sustained bleeding injury. He also sustained injury to his hand and back. Accused Rashid Khan Sarabat Khan, Shadik Khan Hamid Khan, Rajuk Khan Hamid Khan and the son of Iliyas Pathan and wife of Nazir Khan have abused to the complainant. After hearing the noise of quarrel when the wife, mother, wife of brother of complainant came there to release him, accused have also abused them. Accused by stick assaulted on the hand of his wife. Hence, he lodged the report.

7. Thus, after perusal of F.I.R. it shows that, applicant by stick assaulted on the back side of head of complainant, due to it, he sustained bleeding injury .His role is attributing in commission of serious offence. After perusal of case diary it shows that though the sticks have been seized but the investigation is at primary stage. His cloths are yet to be seize.The statement of witnesses are yet to be recorded under Section 183 of the BNSS. Therefore, considering the role of applicant, seriousness and gravity of offence I am not inclined to release him on anticipatory bail . Hence, the application deserves to be rejected. In result, I pass the following order :

**ORDER**

1] Application Exh.1 is hereby rejected.

Dated: 12.03.2026

(G.B.Jadhav)  
Addl.Sessions Judge, Khamgaon,  
Dist. Buldhana.

Certificate

I certify that this order PDF uploaded is a true and correct copy of original signed order.

Name of Steno : Mrs. Nishat Anjum Mohd. Rafique.

Name of Court : Addl. Sessions Judge, Khamgaon.