

In the Court of Additional Sessions Judge, Dhule.
(Presided over by R. N. Hiwase)

Criminal Bail Application No.101/2026.
(CNR No.MHDH010004182026)
(Ajim Shah V/s. The State of Maharashtra)

ORDER BELOW EXH.1

The applicant/accused by name Ajim Shah Altaf Shah Fakir has moved this application for regular bail in C.R.No.19/2026 registered by the Chalisgaon road Police Station, for the offences punishable under Section – 109, 118(2), 118(1), 189(2), 191(2), 191(3), 351(2) and 352 of the B.N.S..

2. Perused the application, say thereon filed by the State and the police papers. Heard both sides.

3. It is the story of the State that On 18.01.2026 at about 05.00 p.m., the elder brother of the informant by name Yehetesham Mohammad Kalim was standing in front of his house and he was jesting with Rehman Anis Shaikh. The brother of Rehman Anis Shaikh by name Salam came there and started to abuse the informant and his brother Yehetesham. Therefore, the informant called back his brother. After sometime, the applicant/accused and other co-accused came there by holding sticks, iron rods and hockey sticks and assaulted upon the informant. They abused as “Chhinal ka Yehetesham kahan hai”. They threatened to kill him. At that time the other brother of informant by name Naeem tried to save the informant. Co-accused Salam gave a blow of sword upon Naeem. But, he tried to escape, due to

which, injury was cause on his forehead. So also, co-accused Rehman gave a blow of iron rod upon Naeem and caused injury to his left eye. The informant tried to save Naeem. At that time, co-accused Rabbani beat the informant by the stick on his right hand, due to which, his right hand was fractured. The co-accused beat to the informant by iron rod on his head and tried to kill him. Due to this, the informant was seriously injured. He was admitted in the civil hospital.

4. The learned advocate for applicant/accused has submitted that initially the offence U/Sec.118(2) and other provisions was registered. But, lateron Section – 109 of the B.N.S. was added. There was no intention to kill any person. There is a delay of 28 hours in lodging the F.I.R.. The applicant/accused is in custody since 20.01.2026 i.e. two and half months. The informant and injured Naeem filed the affidavits Exh.13 and 15 to the effect that there is the settlement between them and accused and they have no objection to grant the bail to the accused. The accused is ready to abide the terms and conditions of the bail. Hence, he be released on bail.

5. On the other hand, the learned A. P. P. has argued that this offence is serious. The investigation is not completed. If the applicant/accused is released on bail, he will commit similar type of offence. Therefore, this application be rejected.

6. After considering the submissions made by both sides, it appears to me that the applicant/accused is in custody since two and half months. The investigating officer has not submitted

that anything is to be recovered from the accused. The informant and the injured have filed the affidavits on record to the effect that they have no objection to release the applicant/accused on bail. Therefore, considering this, the applicant/accused is entitled for bail. Hence, I proceed to pass the following order.

ORDER

1. The application is allowed.
2. Accused Ajim Shah Altaf Shah Fakir be released on bail in C.R.No.19/2026 registered by the Chalisgaon road Police Station, for the offences punishable under Section – 109, 118(2), 118(1), 189(2), 191(2), 191(3), 351(2) and 352 of the B.N.S., on executing P.R. bond of Rs.50,000/- with one surety in the like amount.
3. The applicant/accused shall attend the Chalisgaon road police station on every Monday in between 11.00 a.m. to 03.00 p.m. till filing of the chargesheet.
4. The applicant shall not directly or indirectly tamper the prosecution evidence.

(Dictated and Pronounced in Open Court.)

Date : 07.04.2026.

(R.N.Hiwase)
Additional Sessions Judge
(Court No.5), Dhule.

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C E R T I F I C A T E

I certify that the contents of this P.D.F. File are word to word as per Original Judgment/Order.

Name of the Stenographer : J.S.Jain.
Name of the Court : Court of District Judge-5, Dhule
Judgment directly typed on : 07.04.2026.
dias computer.
Order checked and signed by : 07.04.2026.
Presiding Officer
P.D.F. Uploading Date : 07.04.2026.

Sd/- xxx

Stenographer(Grade-I)