

MHJN010004662026



**IN THE COURT OF ADDITIONAL SESSIONS JUDGE-2, JALNA
CRIMINAL BAIL APPLICATION NO. 130 OF 2026**

**Anwar Daud Shaikh and
another**

.... Applicants/accused

V/s.

The State of Maharashtra

.... Respondent/Prosecution

Appearance :

Shri. K. A. Khan, the learned advocate for the applicants

Shri. B.V.Ingle, the learned In-charge D.G.P for the State

ORDER BELOW EXH.1

(Delivered on : 17.03.2026)

. The applicant/accused has preferred application under the provision of Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as the “BNSS” for the sake of brevity), apprehending arrest in Crime No. 399/2026 registered with Gondli police station under Section 74, 118(2), 352, 351(2), 189, 190, 191(2) of the Bharatiya Nyaya Sanhita, 2023 (hereinafter referred to as the “BNS” for the sake of brevity and Section 92(a)(b) of the Right of Persons With Disabilities Act.

02. As per the applicant/accused, the victim lodged complaint on 09.12.2025 contending that applicant/accused No.1 his neighbour used to make obscene gestures by looking at her. On 09.12.2025, when she was returning with her son, the applicant/accused No.2 along with co-accused Musharaf on one motorcycle and applicant/accused No.1 on another motorcycle went near them and dashed her son. They started

assaulting her son. Other relatives of the applicant/accused and co-accused went there and started assaulting with sticks and stones. The neighbourers rescued them. The husband of the victim got injury to his head and her father-in-law who is a handicapped, was threatened by the co-accused. Hence, the complaint was filed.

03. As per the applicants/accused, they are false implicated in the offence. The allegations against them are vague to falsely implicate the entire family. The provisions of rights of Persons with Disabilities Act are not attracted. Counter complaint was filed against the victim and her family members as the family of applicant/accused was assaulted due to mutual altercation. Though the victim contends that co-accused outraged her modesty by making obscene gestures from 04.12.2025 to 07.12.2025, no complaint was filed by her about the said incident. Applicants/accused are permanent residence of given address. They have on criminal antecedent and they are ready to abide with terms and conditions of bail, if imposed on them.

04. The prosecution resisted the application by filing say at Exh.5. It is contended that the offence is serious in nature. Co-accused outraged the modesty of the victim and along with applicant/accused, assaulted the informant and witnesses by stick, stone, kick and blows. The witness is a physically disabled person. The investigation is in progress. The prosecution apprehends that in case the applicants/accused are released on bail, they will tamper the evidence and threaten the witnesses. Hence, the application is sought to be rejected.

05. The informant appeared and resisted the bail application by filing say vide Exh.6. It is contended by her that there is danger to her and her family. The applicants/accused and co-accused have

assaulted her husband, her son and her father-in-law. In case the applicants/accused are released on bail, they will repeat such offence. Hence, the application is sought to be rejected.

06. Heard learned advocate Shri. K. A. Khan for the applicant/accused and the learned In-charge D.G.P. Shri.B.V.Ingle for the State. Perused the copy FIR and police papers submitted by the prosecution.

07. The learned advocate for the applicants/accused submitted that the allegations against these applicants/accused are vague in nature. The informant and her family members are released on anticipatory bail in the counter complaint filed against them.

08. From the reply of prosecution and police papers, it is seen that the investigation is almost completed, nothing is shown to be recovered or discovered from the applicants/accused, for which, their custodial interrogation would be required. The apprehension of the prosecution can be taken care of by imposing stringent conditions on the applicants/accused while releasing them on bail. Hence, I pass the following order: -

ORDER

1) Criminal Bail Application No.130/2026 is allowed.

2) In the event of arrest of the applicant/accused No.1 **Anwar Daud Shaikh** and the applicant/accused No.2 **Shahanawaj Anwar Shaikh**, in Crime No. 399/2025, registered with Gondi Police Station, they be released on P.B. and S.B. of Rs.15,000/- (Rupees Fifteen Thousand only) each with one or two sureties in the like amount each, on the following conditions:-

- a) The applicants/accused shall appear before at Police Station Gondi, on alternate Wednesday of every month between 01.00 p.m. to 04.00 p.m. till filing of charge-sheet.
 - b) The applicants/accused shall not contact the victim or witnesses in any manner.
 - c) The applicants/accused shall not tamper with the evidence.
 - d) The applicants/accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of this case so as to dissuade them from disclosing such facts to the Court or the police officer.
 - e) Breach of any condition will amount to cancellation of anticipatory bail forthwith.
- 3) Criminal Bail Application No.130 of 2026 stands allowed and disposed of accordingly.

(Dictated and pronounced in open Court).

Date: 17/03/2026

(NAZERA S. SHAIKH)
Additional Sessions Judge-2
Jalna.

CERTIFICATE

I affirm that the contents of this PDF file are word to word as per original.

Name of Stenographer : P.S.Tayade
Name of the Court : Court of Addl. Session Judge-2, Jalna
Date of PDF : 17/03/2026

Stenographer