


MHNS070006212026 	<u>Order Below Exh. 1 in Criminal Bail</u> <u>Application no. 245 of 2026</u> Yaakub Yunus Shah Vs. The State of Maharashtra
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[1] Applicant-accused **Yaakub Yunus Shah**, has preferred present application under section 482 of the Bhartiya Nagarik Suraksha Sanhita seeking protection of anticipatory bail against arrest under **C. R. No. 48/2026**, registered at **Pawarwadi Police Station, Malegaon**, Tal. Malegaon, Dist. Nashik under sections 75(1), 75(1)(ii), 79, 351(2), 352(3) of the Bhartiya Nyaya Sanhita, 2023.

[2] Ld. Advocate for the applicant-accused submits that the FIR is falsely filed, as no such incidence has occurred, accused had not threatened the complainant nor has made any indecent proposal to her. Further submitted that accused does not have any audio or video clip of the complainant or anybody else, therefore, there would not arise any opportunity for this accused to blackmail the complainant lady or make any indecent proposal to her. It is submitted that present complaint is lodged only because of some quarrels between the complainant lady and this accused.

[3] Further submitted that the complainant lady herself has filed affidavit at Exh. 07 stating of the dispute been settled and having no objection for this accused to be granted anticipatory bail. Further submitted that as this accused is having no audio video clip, therefore, nothing is required to be seized or recovered at the instance of this accused. Also submitted of accused having no criminal antecedents and he undertaking to co-operate in the investigation. Accordingly,

protection of anticipatory bail is prayed.

[4] Bail application is resisted by filing say at Exh. 04 and the Ld. APP vehemently contending that this accused blackmailed the complainant lady by threatening her of making viral a audio file of her conversation with somebody else and demanded sexual favour from her, thus, offence is serious.

[5] Further submitted that investigation is yet continuing, accused's mobile phone is to be seized, offence is of outraging modesty of a woman, making indecent proposal, thus, offence is in serious in nature and in case accused is protected by grant of anticipatory bail, possibility of absconding, influencing the witnesses, tampering with the prosecution evidence and hampering the investigation, cannot be ruled out. Thus, resisted the bail application.

[6] Upon notice complainant, appeared and had initially filed objection at Exh. 6 resisting the bail application, subsequently she filed her affidavit at Exh. 7, therein mentioning of her dispute with the accused been settled and also mentioned therein about she having no objection for granting anticipatory bail to this accused.

[7] Upon perusing the bail application, the objection filed and affidavit of the complainant and hearing of the Advocates, it appears that allegations against the accused for FIR and that on 18.02.2026 this accused had threatened the complainant lady of making viral some audio video files and blackmailing her by seeking sexual favour. Undisputedly, any audio video file used for blackmailing the complainant, will have to be seized and recovered. However, at the

same time considering complainant's affidavit at Exh. 07, it appears that dispute between them has resolved. In such circumstances, it appears that custodial interrogation of the accused would not be required. However, apprehensions raised, presence of co-operation of this accused in the investigation shall have to be ensured. Hence, following order.

ORDER

1. Application stands allowed.
2. In the event of arrest of accused **Yaakub Yunus Shah**, under **C.R. no. 48/2026**, registered at **Pawarwadi Police Station, Malegaon**, Tal. Malegaon, Dist. Nashik, he be released on bail, upon furnishing P.B. and S.B. of Rs. 50,000/- (Rs. Fifty Thousand only) with one or more surety in like amount and subject to conditions that:-
 - (a) Accused shall not pressurize or influence the complainant or any of the witness, so as to dissuade them from giving evidence in this matter,
 - (b) Accused shall not tamper the prosecution evidence, in any manner.
 - (c) Accused shall attend the concerned police station on **every Monday and Saturday between 11:00 a.m. to 1:00 p.m.**
 - (d) Accused shall co-operate in the investigation and produce his mobile phone and any digital matter, as demanded by the Investigating Officer, in investigation of this case.
3. Inform the concerned police station accordingly.

Date : 11.03.2026

(Y. H. Ameta)
Additional Sessions Judge,
Malegaon.