

MHAH070006422026	<u>CRIMINAL BAIL APPLN. No. 247 of 2026</u>
	Abubakar Mohammad Shaikh Vs. State of Maharashtra

ORDER BELOW EXHIBIT 01.

This is an application for regular bail filed by applicant/accused under Section 483 of the Bharatiya Nagarik Suraksha Sanhita-2023 (for short BNSS), in connection with C.R.No. 543/2026 registered with Sangamner City Police Station Tal. Sangamner Dist. Ahmednagar for the offences punishable under Sections 74, 189(2), 190, 191(2), 118(1), 115(2), 351(2), 325, 324(4) and 105 of Bharatiya Nyaya Sanhita-2023 (for short BNS).

2) On 01.06.2026 informant Salman Harun Shaikh lodged report alleging that, on 31.05.2026 around 12.15 p.m. he saw applicant and co-accused persons abusing and beating his wife and were also shooting video of the same. When he intervened the applicant and co-accused assaulted him by wooden log and by fist and leg blows. The applicant and co-accused further assaulted his brother Salim Shaikh by steel rod. The applicant and co-accused torn clothes of informant and abused and threatened him and his family members. Accordingly the report.

3) Ld. Advocate for the applicant argued on the line of the bail application. He submitted that, the applicant is innocent and has not committed alleged offence. There are vague and afterthought

allegations in the FIR. Present FIR is a counter-blow to FIR No. 517/2026 lodged by accused against informant and others. Death of Salim is not result of alleged incident, but he died of natural death. Alleged sections do not attract against the applicant. The applicant has no criminal past. He is ready to obey any conditions and prayed to allow the application.

4) Ld. Advocate for the informant argued that, co-accused are absconding. Deceased died only due to sustaining assault in incident by the applicant. Accordingly, section 105 of the BNS is added in the crime. Investigation is in progress. If bail is granted, the applicant will tamper prosecution evidence and prayed to reject the application.

5) Ld. APP submitted that, the police papers prima facie show active involvement of the applicant in the crime. The offence is serious in nature. Injured Salim Shaikh lost his life in the assault. Investigation is in progress. If bail is granted, the applicant will pressurize the prosecution witness and also will abscond and prayed to reject the application.

6) Read application, say of APP, affidavit of deceased's wife Heen Salim Shaikh and adjoining documents on record.

7) It reveals from police papers that on 31.05.2026 around 12.15 p.m. the applicant and co-accused persons started abusing and assaulting informant's wife and they were also shooting video of the same. When informant intervened, present applicant assaulted him by

wooden log of his back. Co-accused also give fist and leg blows to the informant. Then informant's brother Salim Shaikh intervened, but present applicant assaulted him by steel rod of his back. In said assault three year old son of Salim Shaikh fell down and sustained injuries. Even thereafter the applicant and co-accused allegedly gave fist and leg blows to informant and his brother torn clothes of informant. Even when informant went to police station, there also the accused persons assaulted him. Thus specific role is attributed to the applicant in the alleged incident. After the incident informant and his brother Salim Shaikh came to be hospitalized. It is alleged that Salim died due to sustaining injuries in assault and accordingly section 105 of BNS came to be added in the crime. The offence is serious in nature and happened in the public place. The investigation is going on. Considering facts, accusations, nature and gravity of offence, if bail is granted, possibility of the applicant tampering with the prosecution evidence cannot be ruled out. Hence it would not be apprehension to enlarge the applicant on bail. In the result following order is passed :-

ORDER

The application is rejected.

Date: 24/06/2026

(V.H. Patwadkar)
Additional Sessions Judge-1,
Sangamner.