



**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

909 ANTICIPATORY BAIL APPLICATION NO. 739 OF 2026

**SHAIKH ABDUL HAI MAHEMUD AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicants : Mr. Rajendra Deshmukh (Senior Advocate)
i/b Mr. Sayyed Tauseef Yaseen
APP for Respondents/State : Mr. K.K. Naik
Advocate for the Assisting Prosecution : Mr. Z.H. Farooqui
...

**CORAM : MEHROZ K. PATHAN, J.
DATE : 07.05.2026.**

PER COURT :

1. Heard the learned Counsel for the respective parties.
2. Issue notice to the respondent-State, returnable on 18.06.2026.
3. The learned Counsel appearing for the Complainant seeks time to file application to assist the Prosecution. Time is granted.
4. The learned Counsel Mr. Deshmukh, Senior Advocate submits that the father of the applicant No. 2 is aged about 70 years, applicant No. 2 is a Corporator and there are documents on record to show that the applicant No. 2 was not even present on the spot of

incident and was present at Beed which is 50 k.m. away from the spot where the incident took place.

5. There are CCTV footage annexed to the application, which shows that the applicant was present in a shop at Beed. The applicant is deliberately attributed with the allegations as the applicant has got elected to the Corporation and defeated the candidate of the Complainant party. The counter FIR bearing No. 60 of 2026 is lodged by the accused No. 3 wherein the present Complainant was also an accused.

6. Initially the offence was registered only for voluntarily causing grievous hurt, however, after obtaining the injury certificates from the Private Medical Hospital the offence punishable under Sections 109 alongwith 61 (2) of the BNS, 2023 came to be added later on.

7. Taking into consideration the aforesaid submissions and particularly the CCTV footage annexed to the application showing the presence of the applicant at Beed on dated 01.03.2026 at 13.44 hrs. and that the applicant is not having any criminal antecedents and is ready to abide any conditions that may be imposed by this Court, I am inclined to protect the applicant. Hence, the following order :

ORDER

(a) In the event of arrest of the Applicants – Shaikh Abdul Hai Mahemud and Asef Abdulhai Shaikh in connection with Crime No. 56 of 2026 registered with Patoda Police Station, District Beed for the offences punishable under Sections 191 (2), 191 (3), 190, 118 (1), 115 (2), 352, 351 (2), 109, and 61 (2) of the Bharatiya Nyaya Sanhita, 2023, they be released on bail on furnishing P.R. bond of Rs.50,000/- (Rupees Fifty Thousands) each with two solvent sureties each in the like amount, on the following conditions :

(i) The Applicants are directed to attend Patoda Police Station, District Beed on every Saturday and Sunday between 11.00 a.m. to 01.00 p.m. and co-operate with the Investigating Officer.

(ii) The Applicants shall not tamper with the evidence and shall appear before the Investigating Officer as and when required, apart from the days already mentioned above.

(iii) The Investigating Officer shall make the investigation papers available for perusal of this Court.

8. Stand over to 18.06.2026.

(MEHROZ K. PATHAN, J.)

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