



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION [ABA] NO.264 OF 2026

[Shaikh Naushad Shaikh Wahed .vs. The State of Maharashtra, Through Police Station Officer, Khamgaon Rural, Dist. Buldhana]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. M.N. Ali, Advocate for Applicant.
Ms. M.R. Kavimandan, APP for Non-Applicant.

CORAM : RAJNISH R. VYAS, J.

DATE : APRIL 23, 2026.

1. Apprehending arrest, the applicant has approached this court. The First Information Report No.0066/2026 dated 28.2.2026 came to be registered against the applicant with Police Station, Khamgaon, District-Buldhana for the commission of offences punishable under Sections 118(1), 3(5), 351(2), 351(3) and 352 of the Bharatiya Nayaya Sanhita, 2023. The said FIR was lodged at the instance of one Sheikh Taushif Sheikh Rais, in which initially total four accused were mentioned.

2. The role played by the present applicant has surfaced during the course of investigation. Reliance is placed upon the supplementary statement of the informant which is recorded on 3.3.2026, whereas incident had occurred on 26.2.2026.

3. The learned counsel for the applicant has argued that initially when the first information report was lodged, it was stated that it was Sheikh Samir Sheikh Wahid, who has assaulted the informant on his head by means of iron rod. He further submitted that nothing was said about the present applicant in the first information report. According to him, since the complainant

party and the accused persons are residing in the same locality, earlier dispute had arisen on some trivial issues and thus in order to falsely implicate him, by way of supplementary statement, the name of applicant was taken.

4. Per contra, the learned APP has contended that the version narrated in the first information report regarding the incident is corroborated by the medical evidence which shows that the victim has suffered grievous injury i.e. fracture to the hand. She submitted that the custody of the present applicant is necessary.

5. With the assistance of the respective counsels, I have gone through the record of the case. The first information report lodged by Sheikh Taushif Sheikh Reis shows that on 26.2.2026 quarrel had taken place on the count of collecting cow dung at which time the accused by name Sheikh Samir Sheikh Wahed assaulted the informant by means of iron pipe on his head. The second blow was then obstructed by the informant by raising his hand, due to which, he sustained injury. It is not in dispute that there is nothing on record to show that due to injury sustained, the applicant became unconscious or was not in a position to narrate the incident properly. The fact that no specific role was assigned to the applicant in the first information report and it is after five days by way of supplementary statement of the informant, the applicant is implicated as an accused, I am inclined to protect the liberty of the applicant. It is contended by the learned counsel for the applicant that the applicant has no criminal antecedents.

6. In the aforesaid background, the following order is passed :

ORDER

(i) In the event of arrest in connection with Crime No.0066/2026 registered with Police Station Khamgaon, District-Buldhana for the offences punishable under Sections 118(1), 3(5), 351(2), 351(3) and 352 of the Bharatiya Nayaya Sanhita, 2023, Applicant-Shaikh Naushad Shaikh Wahed be released on bail on furnishing a P.R. Bond of Rs.25,000/- (Rupees-Twenty Five Thousand only) with one solvent surety in the like amount.

(ii) The applicant shall attend the concerned Police Station on 25th and 26th April, 2026 between 10.00 am to 2.00 pm.

(iii) The applicant shall cooperate with the investigating agency and shall not tamper with the prosecution evidence or influence the witnesses directly or indirectly.

(iv) The applicant shall not leave India without prior permission of this court.

(v) Application stands disposed of.

(RAJNISH R. VYAS, J.)