



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

CRIMINAL APPLICATION (ABA) No.467 OF 2026

(Mohammad Ishteyaq s/o. Mohammad Ishaque Sheikh Vs. The State of Maharashtra,
through PSO, P.S. Ajani, Distt. Nagpur)

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

Court's or Judge's orders.

Mr. S.S. Ali, Advocate for applicant.

Mr. K.R. Lule, APP for respondent.

CORAM : PRAVIN S. PATIL, J.

DATE : 15th JUNE, 2026.

1. Heard.

2. By this application, the applicant is seeking anticipatory bail in Crime No.122/2026, registered with Police Station Ajni, District Nagpur, for the offence punishable under Sections 109, 115(2), 189(2), 190, 191(2), 191(3), 296 and 351(3) of the Bharatiya Nyaya Sanhita, 2023 read with Section 4 and 25 of the Arms Act, 1959 and Section 135 of the Maharashtra Police Act, 1951.

3. In short, the case of the prosecution is that as per the complainant on 14.3.2026 at around 6.40 p.m. when he came up from the Masjid after reading Namaj along with his friend, observed that the accused persons were quarreling with the Secretary of the Masjid. At that time, the complainant along with other persons gone there to resolve the quarrel which was going on between them. During that period the accused Sohail Nasir Sheikh caught hold the collar of the complainant and assaulted him with fists and blows. It is also

alleged that along with main accused his friend, his brother and the present applicant came there and thereby sustained the injuries to the applicant in the matter. On the basis of this complaint the abovesaid offence is registered in the matter.

4. The applicant has pointed out from the F.I.R. the role attributed to the present applicant is that he has hold the complainant from behind along with other persons namely Sheikh Sadaf Sheikh Shafi. Except that, there is no role attributed to the present applicant. The applicant also pointed out that this Court by an order dated 2.6.2026 has granted interim protection and thereby he was directed to attend the Police Station twice a week.

5. Learned Additional Public Prosecutor has strongly opposed the present application. It is the submission of the learned Additional Public Prosecutor as the specific role is attributed to the applicant, he is not entitled for bail. His custody would be required in the matter for getting further details from the present applicant.

6. The applicant has pointed out that in the alleged offence there are as many as six accused persons including applicant are involved. Out of them, four persons have been granted bail by this Court and one accused has been released on regular bail. As such, it is the submission of the present applicant that as all the accused persons are already released on bail, he is also entitled for the same relief on the ground of parity.

7. In the present matter. It is not disputed that the present applicant has attended the Police Station as directed by

this Court and extended his co-operation to the Investigation Officer. There is no violation of any condition by applicant.

8. In view of above, I am of the opinion that the applicant is entitled for anticipatory bail. Hence, following order is passed.

ORDER

(i) The application is allowed.

(ii) In the event of arrest of the applicant in Crime No.122/2026, registered with Police Station Ajni, District Nagpur, for the offence punishable under Sections 109, 115(2), 189(2), 190, 191(2), 191(3), 296 and 351(3) of the Bharatiya Nyaya Sanhita, 2023 read with Section 4 and 25 of the Arms Act, 1959 and Section 135 of the Maharashtra Police Act, 1951, the applicant - Mohammad Ishteyaq s/o. Mohammad Ishaque Sheikh shall be released on anticipatory bail on furnishing P.R. Bond of Rs.25,000/ (Rs. Twenty Five Thousand).

(iii) The applicant shall extend his co-operation to the Investigation Officer if needed during the pendency of the proceeding and on pre-intimation of Investigation Officer shall attend Police Station.

(iv) The Investigation Officer shall issue pre-intimation of two days before calling the applicant at the Police Station.

(v) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted to the facts of the case, so also shall not tamper with the evidence.

(v) The application stands disposed of.

(PRAVIN S. PATIL, J.)

Wadode