

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

**BENCH AT AURANGABAD**

**CRIMINAL APPLICATION NO.641/2015  
IN  
CRIMINAL APPEAL NO.651/2014**

Syed Sarfaraz s/o Abdul Kadar,  
age 40 yrs., occu.nil,  
r/o Dargah Dayra, Mukund Nagar,  
Ahmednagar Tq. & Dist.Ahmednagar.  
...Applicant..

**Versus**

The State of Maharashtra,  
through Chhawani Police Station,  
Aurangabad. Tq. & Dist.Aurangabad.  
...Respondent...

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Shri R.N. Dhorde, Senior Advocate i/b Shri M.A.  
Jahagirdar, Advocate for applicant.  
Shri K.S. Patil, APP for respondent - State.

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**CORAM: A.B. CHAUDHARI &  
INDIRA K. JAIN, JJ.**

**DATE: 03.09.2015**

**ORDER :**

- 1] Heard learned counsel for the parties.
- 2] Perused the evidence as well as the judgment dated 10.10.2014 in Sessions Case No.376/2011 passed by learned Sessions Judge, Aurangabad. The conviction against the applicant has been recorded on the premise that during

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raid in his house, two pistols were found besides the telephonic conversation being in contact with the other accused. The claim made by the prosecution that he was on the spot of the incident of murder is not supported prima facie by ocular evidence. The applicant is in jail since last four years. We, therefore, make following order.

3] The applicant — Syed Sarfaraz s/o Abdul Kadar be released on bail on furnishing P.R. Bond of Rs.25,000/- (rupees twenty five thousand only) with solvent surety of like amount. The applicant shall report to Police Station Chhawani, Aurangabad, Dist.Aurangabad, once in a week between 11-00 a.m. to 4-00 p.m. on every Sunday. The application is accordingly disposed of.

**(INDIRA K. JAIN, J.)**

**(A.B. CHAUDHARI, J.)**