

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

CRIMINAL APPLICATION NO. 1291 OF 2015

Jafar Abdul Gafar Qureshi & Ors.

.... **APPLICANTS**

V E R S U S

The State of Maharashtra

.... **RESPONDENT**

.....

Mr. Abdul Aziz Hazi Fatelal, Advocate for Applicant.

Mr. A.V.Deshmukh, A.P.P. for Respondent – State.

Mr. S.H.Jagiasi, Advocate for first informant.

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CORAM : V.M.DESHPANDE, J.

DATE : 26th MARCH, 2015

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PER COURT :

1. At the outset, Mr. Abdul Aziz Hazi Fatelal, the learned counsel for the applicants submitted that upon instructions from his clients, he wish to withdraw the application for Azhar Abdul Gafar Qureshi with liberty to file bail application afresh before the learned trial Court after the charge sheet is filed. Permission granted.

2. The application of Azhar Abdul Gafar Qureshi is dismissed as withdrawn with liberty to file bail application afresh before the learned trial Court after the charge sheet is

filed.

3. Heard Mr. Abdul Aziz Hazi Fatelal, the learned Counsel for the applicants and Mr. A.V.Deshmukh, the learned A.P.P. for the respondent – State.

4. In so far as the application of other applicants is concerned, though the first informant has alleged that the applicant No. 4 Khijar Abdul Gafar Qureshi has given knife blow on his hand, the injury certificate which is available in the investigation papers does not show any such injury on the hand of the first informant. According to the learned A.P.P., statement shows that the other injured namely Syed Aslam Ali lost two teeth due to the attack by fighter by applicant No. 4 Khijar Abdul Gafar Qureshi. However, the said weapon is already seized. In so far as injury on the person of third injured is concerned, it is simple injury.

5. The applicants are in jail since 18/02/2015. No fruitful purpose will be served by keeping them in jail.

6. Hence, I pass the following order :

(i) The application of applicant No. 3 Azhar Abdul Gafar Qureshi is dismissed as withdrawn with liberty to file bail application afresh before the learned trial Court after the charge sheet is filed.

(ii) Applicant No. 1, applicant No. 2 and applicant No. 4 be released on bail in connection with

Crime No. 18/2015 for the offences punishable u/s 307, 324, 323, 504, 506 of the Indian Penal Code registered with Police Station Majalgaon, (Rural) Dist. Beed on they executing P.R. Bond of Rs.5,000/- [Rupees Five Thousand] with one solvent surety of like amount by each of them. Bail before the trial Court.

- (iii) Applicant No. 1 and applicant No. 2 shall attend police station Majalgaon (Rural), Dist. Beed once in a week till the charge sheet is filed.
- (iv) Applicant No. 4 Khijar Abdul Gafar Qureshi shall attend police station Majalgaon (Rural), Dist. Beed once in a week after 16/04/2015 till the charge sheet is filed. He shall attend the police station on every Sunday between 10.00 a.m. and 11.00 a.m.
- (v) With these observations, present Criminal Application is disposed of.

[V.M.DESHPANDE, J.]

