

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

CRIMINAL APPLICATION NO.4466 OF 2015

Shaikh Javed s/o Shaikh Hussain,
Age 35 years, Occu. Labour,
R/o Mahur, Taluka Mahur,
District Nanded

..Applicant

Versus

The State of Maharashtra,
through the Investigation Officer,
Police Station, Mahur,
Taluka Mahur, District Nanded

..Respondent

Mr J.M. Murkute, Advocate for applicant
Mr R.B. Bagul, A.P.P. for respondent

CORAM : N.W. SAMBRE, J.

DATE : 13th October 2015

PER COURT

Heard.

2. The applicant herein is seeking regular bail in Crime No.I-63/2014 registered on 11th September 2014 at Mahur Police Station, District Nanded for offences punishable under Section 302, 109, 120(B), 211, 201 read with Sec.34 of the Indian Penal Code,

3. Learned Counsel for the applicant submits that the applicant is entitled for bail on parity with the other accused persons, who are already released on bail by order dated 27th April 2015 passed in Criminal Application No.2016 and 1927 of 2015, on 7th June 2015 in Criminal Application No.2791 of 2015, on 7th July 2015 passed in Criminal Application No.3160 of 2015 and on 16th July 2015 passed in Criminal Application No.3208 of 2015.

4. The application for grant of regular bail is opposed by learned A.P.P. on the ground that the applicant was the mastermind of the events which has resulted into registration of crime and according to him, the rest of the accused persons, who are released on bail were working under the control of present applicant. He would urge that there is direct evidence available against the present applicant and has prayed for rejection of the application.

5. I have perused the charge-sheet, so also the other documents opposing the bail application. It is not in dispute that the applicant by using Mobile No.9527963095 has used his mobile for being in touch with the other accused persons.

6. The said aspect is already dealt with by this Court while deciding the earlier bail applications.

7. Apart from above, there is no other evidence available on record or at least brought to my notice so as to distinguish this case from other case. In view thereof, it would be appropriate, in my opinion to order release of the applicant. Hence, I proceed to pass the following order.

(I) Applicant - Shaikh Javed s/o Shaikh Hussain shall be released on regular bail upon executing P.R. Bond of Rs.30,000/- (Rs. Thirty thousand) with one solvent surety in the like amount, in connection with Crime No. 63/2014 registered on 11th September 2014 at Mahur Police Station, District Nanded for offences punishable under Section 302, 109, 120(B), 211, 201 read with Sec.34 of the Indian Penal Code.

- (ii) Bail before trial Court.
- (iii) The applicant shall attend the Police Station, Mahur District Nanded once in a week, preferably on every Sunday and shall remain present in Police Station between 3.00 p.m. and 4.00 p.m.
- (iv) Criminal Application stands allowed in above terms.

(N.W. SAMBRE, J.)

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