

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.4958 OF 2015

1. Shaikh Rasheed Shaikh Mohammad
2. Shaikh Vazeer Shaikh Nazir ..APPLICANTS

VERSUS

The State of Maharashtra ..RESPONDENT

WITH
CRIMINAL APPLICATION NO.5004 OF 2015

1. Kalim @ Bablu Shaikh Usman
2. Gani Mehboob Shaikh ..APPLICANTS

VERSUS

The State of Maharashtra ..RESPONDENT

Mr A. K. Bhosale, Advocate for applicants;
Mr S. R. Palnitkar, Addl. Public Prosecutor for respondent

CORAM : N.W. SAMBRE, J.

DATE : 30th September, 2015

ORAL ORDER :

By these applications under section 438 of the Code of Criminal Procedure, the applicants seek their release on bail, in connection with C.R. No.I-67 of 2015, registered with M.I.D.C. Paithan Police Station, Dist. Aurangabad, for offences punishable under sections 395, 397, 307, 326, 452, 504 and 506 of the Indian Penal Code and under sec. 3/25 of the Arms Act and under section 135 of the Bombay Police Act.

2. This Court has already granted interim protection to the applicants herein, by orders dated 14th September, 2015 and 16th September, 2015, respectively.

3. Perused the papers tendered by the learned Addl. Public Prosecutor. Upon perusal of the investigation papers, particularly the first information report and other documents, it reflects that there are sweeping allegations against the present applicants. The main accused Shaikh Salim is already released on regular bail. The other accused also are protected by orders of this Court, by extending protection under section 438 of the Code of Criminal Procedure. There is a counter complaint by the present applicants against the group of the complainant.

4. In view of the background stated above, in my opinion, it will be appropriate to confirm the protection granted to the applicants. I, therefore, pass following order :-

In the event of the arrest of the applicants, in connection with C.R. No.I 67 of 2015, registered with M.I.D.C. Paithan Police Station, Dist. Aurangabad, for offences punishable under sections 395, 397, 307, 326, 452, 504 and 506 of the Indian Penal Code and under sec. 3/25 of the Arms Act and under section 135 of the Bombay Police Act, each of them be released on bail, upon furnishing P.R. Bond of Rs.10,000/- with one

surety in the like amount, on condition that the applicants shall attend the concerned police station, initially for one week, between 10.00 a.m. and 11.00 a.m. and thereafter as and when called for by the Investigating Officer.

Criminal Applications stand allowed in above terms.

(N.W. SAMBRE, J.)

amj