

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

Criminal Application No.6509 of 2014

Shaikh Juber Shaikh Shabbir. .. **Applicant.**

Versus

The State of Maharashtra. .. **Respondent.**

Shri. A.V. Patil, Advocate, holding for Shri. Amol A.
Jagatkar, Advocate, for applicant.
Shri. M.M. Nerlikar, Additional Public Prosecutor, for
respondent.

CORAM: T.V. NALAWADE, J.

DATE : 9th JANUARY 2015

ORDER:

- 1) The application is filed for bail. Both the sides are heard. Perused the order made by the learned Additional Sessions Judge and also papers of investigation.
- 2) Charge sheet is filed against the applicant for offences punishable under sections 307, 143, 147, 148 etc. of the Indian Penal Code and section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. In the past bail was granted to the applicant. He did not turn up to face the trial so non

bailable warrant was issued against him. He has surrendered before the Court. Then he was taken in custody and bail was cancelled.

3) The learned Additional Public Prosecutor submitted that the applicant has caused amputation of one finger of one witness and the weapon like sword was used. So he is not entitled for bail. The fact remains that in past bail was granted and only due to breach of conditions his bail was cancelled. The applicant is behind the bars for more than five months. In view of these circumstances this Court holds that subject to some conditions bail can be granted.

4) The application is allowed. The applicant is to be released on bail on his furnishing PR and SB of Rs.50,000/- (rupees fifty thousand) with one solvent surety of the like amount. He is to attend the Court regularly. The other conditions like he is not to tamper with prosecution witnesses, he is not commit similar offences are there.

Sd/-
(T.V. NALAWADE, J.)

rs1