

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.981 OF 2016

1] Salim Gulab Sayyed
2] Kalim Gulab Sayyed
3] Mobin Gulab Sayyed
4] Azim Gulab Sayyed @
Sayyed Azim Sayyed Taher,
5] Taher Gulab Sayyed
6] Sayyed Jahed Sayyed Taher ..Applicants

Versus

The State of Maharashtra ..Respondent

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Mr.Khizer Patel, advocate for applicants

Mr.U.S.Mote, APP for respondent - State

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CORAM : M.T. JOSHI, J.

DATE : MARCH 11, 2016

PER COURT :

Heard.

2] The applicants, who are arrested in Crime
No.I-187/2015 registered at Ajintha Police
Station, Tq.Sillod, Dist.Aurangabad for the
offences punishable under Section 307, 326, 324,

143, 147, 148, 149, 504, 506 and 427 of Indian Penal Code, are praying for their release on bail.

3] The hearing from both sides as well as the record would show that there were counter complaints regarding the same incident. From the side of the present applicants, complaint was filed by by one of the co-accused Sayyed Azim Syed Gulab on the basis of which, crime No.I-185 of 2015 was registered against the complainant and his witnesses in the present case.

4] Reading of the FIR as well as the record would show that allegedly, in all, eight accused had assaulted the complainant, his father and one brother.

5] Learned counsel for the applicants submits that the applicants are behind the bars since 10th January, 2016 upon their surrender. He therefore prays that the applicants may be released on bail.

6] Learned APP opposes the application.

7] Perused the injury certificates of the injured. Considering the fact two of the injured persons had received simple injuries and one Bashir Khan had received grievous injury i.e. communitated depressed fracture of right frontal bone, in my view, all the applicants, except applicant no.4 - Azim Gulab Sayyed @ Sayyed Azim Sayyed Taher who has allegedly assaulted the said injured, can be released on bail.

8] Hence, the following order :-

A] Criminal Application is hereby partly allowed as regards the applicant nos.1 to 3, 5 and 6 only.

B] The applicant nos.1 to 3, 5 and 6 namely, Salim Gulab Sayyed, Kalim Gulab Sayyed, Mobin Gulab Sayyed, Taher Gulab Sayyed and Sayyed Jahed

Sayyed Taher be released on bail in Crime No.I-187/2015 registered at Ajintha Police Station, Tq.Sillod, Dist.Aurangabad for the offences punishable under Section 307, 326, 324, 143, 147, 148, 149, 504, 506 and 427 of Indian Penal Code, upon their executing P.R. bonds in the sum of Rs.15,000/- (Rs.Fifteen Thousand) each and also upon furnishing sureties each in the like amount.

. They shall attend Ajintha Police Station / Investigating officer on every second and fourth Monday between 9:00 am. and 1:00 pm., for a period of three (3) months from the date of this order.

C] The application of applicant no.4 - Azim Gulab Sayyed @ Sayyed Azim Sayyed Taher is hereby rejected. He would be at liberty to file the similar application in the trial Court after the charge sheet is filed.

9] The applications stands disposed of accordingly.

[M.T. JOSHI, J.]

kbp