

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 2950 OF 2016

- 1] Sayyed Shamad Sayyed Alam
- 2] Sayyed Chunnu Sayyed Alam
- 3] Sayyed Wahed Sayyed Alam
- 4] Sayyed Najim Sayyed Shamad
- 5] Sayyed Ajim Sayyed Shamad
- 6] Shaikh Rasul Shaikh Rashu

All R/o Nitrud, Tq. Majalgaon,
Dist. Beed

.. Applicants

Vs.

The State of Maharashtra

.. Respondent

.....

Mr. S.J. Salunke, Advocate for the applicants
Mr. S.Y. Mahajan, APP for the respondent-State

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CORAM : N.W. SAMBRE, J.

DATE : 24/06/2016

ORAL ORDER :

Heard.

2. The applicants are seeking regular bail in
Crime no. 3 of 2016 registered at Dindrud Police

Station, Tq. Majalgaon, Dist. Beed for the offences punishable under section 147, 149, 307, 302 of the Indian Penal Code.

3. Deceased Shaikh Dastgir lodged a complaint alleging that when he had been to the house of his grandchildren – Sahil, Asma and Sonu, he was encircled by the applicants and co-accused, who are named in the FIR, kerosene was poured on his person and was set on fire. As such, crime in question came to be registered. The present applicants came to be arrested on 03/05/2016.

4. Mr. Salunke, learned counsel for the applicants relies on the order dated 6th June, 2016 passed by this Court in Criminal Application No.2581 of 2016, thereby granting anticipatory bail to the co-accused/applicants therein, in the present crime and submits that on the basis of parity, the present applicants be also released on bail.

5. Learned A.P.P. opposed the application on the ground that the witnesses have supported the case of the prosecution. Learned A.P.P. would then urge that the present application be dismissed.

6. In above background, it will be appropriate to observe that the co-accused are already released on anticipatory bail vide order referred supra, which is not assailed by the prosecution and the said order has attained finality. Hence, for the reasons forwarded in the said order, the applicants, who are similarly placed, are entitled to be released on bail. Hence, the following order:-

7. The applicants be released on bail in Crime no. 3 of 2016 registered with Dindrud Police Station, Taluka Majalgaon, District Beed for the offences punishable under section 147, 149, 307, 302 of the Indian Penal Code, upon their executing P.R. bond in the sum of Rs.25,000/- (Rs. Twenty Five

Thousand) each with one surety each in the like amount.

8. The applicants shall keep themselves away from the jurisdiction of the concerned Police Station and shall not tamper with the prosecution evidence till the trial is concluded.

9. Criminal Application stands disposed of accordingly.

Sd/-
[N.W. SAMBRE]
JUDGE

arp/-