

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO.2547 OF 2019

Maajid @ Imran Majid Auti

....Applicant

V/s.

The State of Maharashtra & Anrs.

....Respondents

Mr. Uday P. Warunjikar, a/w Santosh S. Musale, i/b. Prashant P. Patil, for the Applicant.

Mr. S. S. Pednekar, APP for the Respondent-State.

CORAM : PRAKASH D. NAIK, J.

DATE : 20th December, 2019

P.C.:

1. The applicant is arrested on 23rd September 2017, in connection with C.R.No.248 of 2017 registered with Vishram Baug Police Station, District- Sangli, for the offences punishable under Sections 302, 120(B), 147, 149, 323, 324, 341, 427, 504, 506, 109 of the Indian Penal Code and Sections 4 and 25 of the Arms Act and Section 37(1)(3) of Maharashtra Police Act.

2. It is contended that, the co-accused Sourabh Shitole has been granted bail by this Court vide order dated 22nd August 2019. The role attributed to the present accused, is identical.

3. The complaint is lodged by Mahendra Bhokre. In 2013 informant contested election for councilor against Dilip Kamble who was candidate of Sachin Sawant. Sachin Sawant creates terror in society. On 22nd September 2017, Shakheel came to house of complainant. Akshay Shinde, Abhijit Bhokare also came there. Informant and his family went to Vishram Baug, Police Station. Informant, Akshay and Abhijit were returning on motorcycle. Informant was pillion rider on motorcycle of Shinde. Deceased was pillion rider on motorcycle of Abhijit Sidhy, death assault by iron rod on informant. Sourabh, Imran (applicant) and Rahul assaulted Abhijit, Akshay and Shakheel by fist / kick blows. Other assaulted Shakheel with weapon to Shakheel Makandar.

4. The First Information Report as well as the statement of the Akshay Shinde and Abhijit Bhokare prima facie indicates that the applicant was involved in assaulting Abhijit, Akshay and Shakil Makandar by kicks and blows. There is no prima facie material to indicate that he was armed with weapon or that he was involved in inflicting any injury on Shakil Makandar by means of any weapon.

5. The learned APP did not disputes on instructions that the applicant has no antecedents. Considering this fact as well as the nature of the accusations leveled, he is entitled for bail. This Court

has granted bail to Sourabh by order dated 22nd August 2019. The case is similar to applicant. Under the circumstances, the Bail Application is allowed on following terms and conditions:-

ORDER

- (a) The applicant Maajid @ Imran Majid Auti is directed to be released on bail in connection with C.R.No.248 of 2017 registered with Vishram Baug Police Station, District-Sangli on furnishing bail bond of Rs.25,000/- with one or two solvent sureties in the like amount.
- (b) The applicant shall report to the vishram Baug Police Station, Sangli on 1st Monday of every month between 10:00 a.m. to 11:00 a.m.
- (c) The applicant shall not enter Ganesh Nagar area, Dist. Sangli until further orders.
- (d) The applicant shall not interfere with the first informant and/or other witnesses in any manner and/or tamper with the evidence in any manner.
- (e) The applicant shall furnish his permanent address and temporary address, if any, and his contact details to the concerned Court.

(f) The applicant shall not change his residential address without prior intimation to the Investigation Officer and to the concerned Court.

(PRAKASH D. NAIK, J.)