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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 949 OF 2021

FIROZ BILAL ANSARI

....APPLICANT

V/s.

THE STATE OF MAHARASHTRA

.....RESPONDENT

Mr. Devendra Patil advocate for the Applicant

Ms. A. A. Takalkar APP for the State

Mr. Nilesh Badakh, PI, Shantinagar Police Station

CORAM : NITIN W. SAMBRE, J.

DATE: 13th OCTOBER, 2021.

P.C.:

1] Applicant is seeking regular bail in C.R. No. 339/2018 registered with Shantinagar Police Station for offence punishable under Sections 302, 324, 504, 506, 109 r/w 34 of the Indian Penal Code.

2] Prosecution case is, complainant wife of deceased Raju alleged murder of her husband by co-accused who was aided by present

applicant.

3] Said incident was witnessed by minor son of complainant and deceased namely Yunus, however, said witness has not named the applicant with any active role. So also other witness Naushad also not named the applicant.

4] Though learned APP claimed that other witnesses namely Dayanand Israel and Rafiqullah have named the applicant, their testimony appears to be based on hearsay evidence and they have not named the applicant with any specific attribution of active participation in the offence.

5] There are no criminal antecedents against the applicant.

6] In view of above, case for grant of bail is made out. Hence, following order.

(i) Applicant be released on bail in C.R. No. 339/2018 registered with Shantinagar Police Station for offence punishable under Sections 302, 324, 504, 506, 109 r/w 34 of the Indian Penal Code upon furnishing P.R. bond in the sum of Rs. 25,000/- with one or two/more sureties in the like amount.

(ii) Applicant shall neither influence witnesses in any manner nor tamper with evidence.

(iii) Applicant shall remain outside the jurisdiction of the concerned police station till the conclusion of the trial.

7] Application stands disposed of.

[NITIN W. SAMBRE, J.]