

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

BAIL APPLICATION NO. 1082 OF 2022

Shaikh Arbaz Shaikh Shabbir	... Applicant
Versus	
The State of Maharashtra	... Respondent

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Mr. U. S. Malte, Advocate for applicant
Mr. A. V. Deshmukh, APP for respondent - State

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CORAM : R. G. AVACHAT, J.
DATED : 29th AUGUST, 2022

PER COURT :-

. This is an application for bail under Section 439 of the Code of Criminal Procedure. The applicant has been arrested in connection with Crime No.0062/2022, registered at Bhusawal Bazarpeth Police Station, District Jalgaon, for the offence punishable under Section 307 of the Indian Penal Code.

2. Heard. Perused the First Information Report (FIR) and related papers.

3. The FIR has been lodged by the victim himself. The applicant has allegedly assaulted him with a knife. The injury certificate indicates the victim to have suffered five injuries. One of them is a stab injury on his left chest.

4. The learned APP has strong reservation to grant the applicant bail on the ground of seriousness of the offence. He would urge for requesting the trial Court to expedite hearing of the case instead of granting the applicant bail. According to him the victim himself is the eye witness. The name of the applicant figures in the FIR itself. He, therefore urged for rejection of the application.

5. True, the applicant assaulted the informant with a knife. The injury certificate indicates the victim to have suffered five injuries. It has further been informed that the victim has been discharged from the hospital long back. For about eight months, the applicant has been behind the bars. On investigation, the charge-sheet has been filed. It will necessarily take time for commencement and conclusion of the trial. The Court is inclined to grant the applicant, bail. Hence, following order:

ORDER

- (i) The Bail Application is allowed.
- (ii) The applicant be released on bail in connection with Crime No.0062/2022, registered at Bhusawal Bazarpeth Police Station, District Jalgaon, for the offence punishable under Section 307 of the Indian Penal Code, on his executing P. R. bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with surety bond of the like amount.
- (iii) The applicant shall not enter, Bhusawal, except for attending the present matter in the Court, till conclusion of the trial.
- (iv) The applicant shall not tamper with the prosecution evidence.

[R. G. AVACHAT, J.]