

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO.1085 OF 2022

Mukhtar s/o Sheru Shaikh & anr. ... **APPLICANTS**

VERSUS

The State of Maharashtra ... **RESPONDENT**

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Mr. M.R. Jadhav, Advocate for applicants
Mr. A.V. Deshmukh, A.P.P. for respondent – State, assisted by
Mr. Shaikh Sohil Subhedar, Advocate holding for
Mr. N.S. Ghanekar, Advocate for intervener

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WITH

CRIMINAL APPLICATION NO.2782 OF 2022

Yunus s/o Mehmood Shaha ... **APPLICANT**

VERSUS

The State of Maharashtra & ors. ... **RESPONDENTS**

.....

Mr. Shaikh Sohil Subhedar, Advocate holding for
Mr. N.S. Ghanekar, Advocate for applicant
Mr. A.V. Deshmukh, A.P.P. for respondent No.1 – State
Mr. M.R. Jadhav, Advocate for respondents No.2 & 3

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CORAM : R. G. AVACHAT, J.

DATE : 20th SEPTEMBER, 2022.

PER COURT :

Criminal Application No.2782/2022 is allowed.

The applicant Yunus s/o Mehmood Shaha is permitted to
assist learned A.P.P.

2. Heard. This is an application for bail under Section 439 of the Code of Criminal Procedure. The applicants have been arrested in connection with Crime No.0258/2022, registered at Khultabad Police Station (Rural), District Aurangabad for the offences punishable under Sections 307, 326, 323, 504, 506 read with Section 34 of the Indian Penal Code.

3. There are three victims. Two of them have suffered simple injuries. Another one has suffered grievous injury to his lower limb. Learned counsel for the applicants, therefore, has reason to contend that, it may not be an offence punishable under Section 307 of the Indian Penal Code. Be that as it may. On investigation, the charge sheet has been filed. One of the applicant is just 21 years of age. It will take time for commencement and conclusion of the trial. Therefore, this Court is inclined to grant the applicants bail. Hence the order :

ORDER

(i) The Bail Application is allowed.

(ii) The applicants be released on bail in connection with Crime No.0258/2022, registered at Khultabad Police Station

(Rural), District Aurangabad for the offences punishable under Sections 307, 326, 323, 504, 506 read with Section 34 of the Indian Penal Code on their executing P.R. bonds in the sum of Rs.15,000/- (Rupees fifteen thousand) each with one surety in the like amount.

(iii) The applicants shall not enter village Khirdi, Taluka Khultabad, District Aurangabad for next two years.

(iv) The applicants shall not tamper with the prosecution evidence.

(R. G. AVACHAT, J.)

fmp/-