

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

BAIL APPLICATION NO.1418 OF 2022

Maheboob Kha s/o. Rasulkhan Pathan	..Applicant
Vs.	
The State of Maharashtra	..Respondent

Mr.S.J.Salunke, Advocate for applicant
Mr.V.S.Badakh, APP for respondent

**CORAM : R.G. AVACHAT, J.
DATE : SEPTEMBER 16, 2022**

ORDER :-

This is an application under Section 439 of the Code of Criminal Procedure. The applicant has been arrested in connection with Crime No.056 of 2022 registered with Kannad Rural Police Station, Dist.Aurangabad.

2. Heard learned counsel appearing for the parties.
3. The First Information Report (FIR) has been lodged by the father of the deceased on 18.04.2022, alleging therein that his son Ejaz Khan (deceased) was murdered by his co-brother - Mahefoozkha and some of his family members. The applicant is father of the co-brother (Mahefoozkha) of deceased Ejaz Khan. It is the case of the prosecution that on the given day, i.e. on 17.04.2022, Mahefoozkha,

co-brother of deceased – Ejaz Khan, invited him for dinner. However, the dead body of deceased – Ejaz Khan was found in the following morning in a field of maize.

4. After having gone through the police papers and on hearing learned APP for the State, it appears that the present applicant has been named only on suspicion. The applicant was neither last seen in the company of the deceased nor any motive is attributed to him. On investigation, charge sheet has been filed. It will take time for commencement and conclusion of the trial.

5. In view of the above, the Court is inclined to grant the applicant bail. Hence, the following order:-

(i) The application is allowed.

(ii) The applicant be released in connection with Crime No.056 of 2022 registered with Kannad Rural Police Station, Dist.Aurangabad, on executing P.R. Bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with one surety in the like amount.

(iii) The applicant shall not tamper with the prosecution evidence.

[R.G. AVACHAT, J.]

