

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

CRIMINAL BAIL APPLICATION NO. 4098 OF 2021

Salman Shaikh Mujir Ghasi	...Applicant
Versus	
State Of Maharashtra	...Respondent

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Mr. Satish R. Mishra, Advocate for the Applicant.

Mr. N. B. Patil, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATE : 21st OCTOBER, 2022

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PER COURT:

1. The applicant is arrested on 11.02.2020 in connection with C.R. No. 180 of 2019 registered with Yeola City Police Station, Nashik for offence punishable under Sections 307, 326, 143, 147, 148, 323, 504, 506 of the Indian Penal Code.

2. The FIR was lodged by Shahrukh Ekbal Shaikh on 06.02.2020. The alleged incident had occurred on 19.12.2019. The FIR indicate that several persons including applicant were armed with weapon. Akram Babu Ghasi was armed with sword and he assaulted Jafar by giving blow of sword on his head and attempted to kill him. Bilal Babu Ghasi had assaulted with iron pipe to Jafar on his leg. All

other persons have assaulted the complainant with weapon. The applicant has allegedly one of them. There is no specific overt act to the applicant.

3. Co-accused Tipu @ Arshad Ahmed Khalil Shaikh Limbuwale and Farhan Bilal Shaikh had applied bail before this Court viz. Bail application Nos. 4395 of 2021 and 2826 of 2021 were allowed vide order dated 28.09.2022 and 12.09.2022 respectively. There is no recovery from the applicant. Co-accused were granted bail are similar place.

4. Learned advocate for the applicant submitted that the applicant is illing and undergoing treatment in jail hospital. He is in custody for substantial period of time. He is entitled to be released on bail on the ground of parity.

5. Learned APP submitted that one more case registered against the applicant in the past. Considering the role of the applicant and fact that co-accused having identical role being granted bail by this Court. This application may be allowed by granting bail.

ORDER

(i) Criminal Bail Application No.4098 of 2021 is allowed;

- (ii) The applicant is directed to be released on bail in connection with C.R. No. 180 of 2019 registered with Yeola City police station, Nashik on executing P.R. Bond in the sum of Rs.20,000/- with one or more sureties in the like amount;
- (iii) The applicant is permitted to furnish provisional cash bail security in the sum of Rs.20,000/- for a period of eight weeks in lieu of surety.
- (iv) The applicant shall report concerned Police Station once in three month on first Saturday of the month between 11:00 a.m. to 1:00 p.m. till further order;
- (v) Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)