

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO.984 OF 2022

Shahrukh Aslam Sheikh .Vs. State of Maharashtra, through P.S.O., P.S. Majri, Tah.
Bhadravati, Dist. Chandrapur

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri S.H. Mansoori, Adv. h/f Shri M.A. Sheikh, Adv. for the applicant.
Shri S.D. Sirpurkar, A.P.P. for the non-applicant/State.

CORAM : ANIL S. KILOR, J.
DATED : 23/09/2022

Heard.

2. The applicant is seeking bail in Crime No.189 of 2021, dated 03.09.2021, registered with Police Station Majri, District: Chandrapur, for the offences punishable under Sections 397, 382, 353, 333, 379 and 511 read with Section 34 of the Indian Penal Code.

3. The learned counsel for the applicant submits that out of three accused persons two have been released on bail, as such, the applicant is entitled for released on bail on parity. He submits that, the role of the applicant is similar with the role of the other two accused persons who have already been released on bail.

4. On the other hand, Shri Sirpurkar, learned APP strongly opposes the present application and submits that, role of the applicant is not similar as there are allegations against the applicant that he assaulted the three guards who were on duty.

5. In addition to this, the learned APP has pointed out that there are 25 offences registered against the applicant in past and most of the offences are of similar nature. He submits that, there is every possibility that he may commits similar offence, if he is released on bail.

6. I have perused the Charge-sheet and the application.

7. The reply filed by the State shows that, there are 25 cases registered against the applicant, most of the cases are similar i.e. offence under Section 379 of the Indian Penal Code. Moreover, considering the role of the applicant in the present crime, it cannot be said that the applicant is similarly circumstanced with the other co-accused who have been released on bail.

8. In the circumstances, considering the nature and seriousness of the offence and severity of punishment, I am not inclined to grant bail to the applicant. Accordingly, I pass the following order:

The criminal application is **rejected**.

JUDGE