

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

945 BAIL APPLICATION NO.355 OF 2023

FAIZAN KALIM BAGWAN
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. S.R. Sapkal
APP for Respondent : Mr. K S Patil

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CORAM : S. G. MEHARE, J.
Dated: March 09, 2023

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PER COURT :-

1. Heard learned counsel for the applicant and the learned APP for the Respondent-State.

2. Serious allegations have been levelled against the applicant that, on the day of the incident the applicant had driven his motorcycle on the person of the first informant. That time she realized that the applicant was the same person who was following her since last 3 to 4 months and passing comments on her physique and saying that he like her. First informant is a married college going woman. The applicant had also caught her hand and forced her to sit on her bike. The applicant also threatened her to throw acid on her person.

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3. Learned counsel for the applicant would submit that the applicant has been arraigned as an accused at the instance of the Local Corporator. The applicant belonged to his rival group. No incident as such happened. No weapon was has been used in the crime. The applicant may be granted bail.

4. Learned APP has strongly resisted the application. He would submit that there were nine crimes registered against the applicant and in one of the crimes of similar nature, the applicant has been convicted. Conduct of the applicant was harmful to the society. The applicant is repeatedly involved in the similar crimes. The applicant has put a false defence that the Corporator has interest to see the applicant behind bars.

5. Perused the FIR and police papers. Victim has specifically alleged in the FIR that the applicant was following her since last 2 to 3 months. He took a bike towards her person, caught her hand and passed comments on her physique. The applicant was forcing her to sit on his bike. When she resisted him, the applicant threatened her to throw acid on her person. The applicant may go to any extent for his liking towards the first informant. The over all conduct of the applicant is clear

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that he was most aggressive and harassing a married woman. Nine crimes of similar nature were registered against the applicant. However, in eight crimes, he has been acquitted, in one crime, he has been convicted. Conduct of the applicant corroborates the prosecution case that he may harm the first informant. Considering the past and present of the applicant, it would not be safe to release him on bail. Hence, the bail application stands dismissed.

(S. G. MEHARE, J.)

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