

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

BAIL APPLICATION NO.362 OF 2023

**SHAIKH ZAHED S/O. SHAIKH AYAZ
VERSUS
THE STATE OF MAHARASHTRA**

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Advocate for Applicant : Ms. Varsha Ghanekar h/f Mr. Ghanekar
Nilesh S.

APP for Respondent/State : Mr. S.B. Narwade

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CORAM : S.G. MEHARE, J.

DATED : MARCH 06, 2023

PER COURT:-

1. Heard learned counsel for the applicant and learned APP for the State.
2. Perused the charge sheet.
3. The witnesses have deposed against the applicant that the applicant along with other co-accused appeared on the spot of the incident; however, there are no allegations that he played an active role in committing the crime. The witnesses are very specific about the role played by each of the accused. Whether presence of the applicant amounts to sharing the common object is a matter of merit. No incriminating evidence has been collected from him. Considering the facts of the case, the applicant deserve bail. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) The applicant, Shaikh Zahed Shaikh Ayaz, be released on bail on executing P.B. and S.B. of Rs.50,000/- (Rupees fifty thousand) with one solvent surety in the like amount in connection with Crime No.464 of 2022, registered with Nanded Rural Police Station, District Nanded for the offence punishable under Section 302, 307, 324, 323, 504, 506 read with Section 34 of the Indian Penal Code and Section 4/25 and 4/27 of Indian Arms Act, on the condition that he shall not tamper with the prosecution witnesses.

(S.G. MEHARE, J.)