

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

BAIL APPLICATION NO.585 OF 2023

**SHAIKH KAREEM @ MOOSE SHAIKH NASIR
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicant : Mr. J.M. Murkute
APP for Respondent/State : Mr. S.P. Sonpawale

...
CORAM : S.G. MEHARE, J.

DATED : APRIL 21, 2023

PER COURT:-

1. Heard learned counsel for the applicant and learned APP for the State.
2. The applicant is seeking bail in Crime No.28 of 2022 registered with CIDCO Police Station, District Aurangabad for the offence punishable under Section 302, 143, 147, 148, 149, 120-B, 201 of Indian Penal Code.
3. The name of the applicant has not been mentioned in the FIR. Subsequently, he has been arraigned as an accused. The sole evidence against the accused/present applicant with the prosecution is his statement under Section 27 in the form of confession and the statement of other co-accused. In addition thereto, there was recovery of the weapon at the instance of the applicant. The evidence which was available against the applicant i.e. the confessional statement is inadmissible. Considering the facts of the case and the

material collected against him, he deserve bail. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) The applicant, Shaikh Kareem @ Moose Shaikh Nasir, 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 the above crime, on the conditions that he shall not tamper with the prosecution witnesses.
- (iii) The applicant shall attend the trial on each and every effective date.

(S.G. MEHARE, J.)