

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

926 BAIL APPLICATION NO.612 OF 2023

MOHAMMED TAHER QURESHI S/O. MOHAMMED IQBAL
QURESHI
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Lone Rajendra M.
APP for Respondent-State : Mr. S. P. Sonpawale.
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CORAM : S. G. MEHARE, J.
DATE : 20.04.2023

PER COURT :-

1. Heard the learned counsel for the applicant and the learned APP for the respondent-State.
2. The applicant is seeking bail in Crime No.19 of 2023, registered by Police Station Biloli, District Nanded, for the offences punishable under Sections 399, 307, 353, 279, 427, 402 of the IPC and Section 4/25 of the Indian Arms Act.
3. It has been alleged against the applicant that he along with other co-accused was proceeding to commit dacoity. Hence, the police got suspicion and tried to intercept Scorpio car. However, the driver did not stop the car. The driver broke the barricades and damaged the Government vehicles. Again, police chased the Scorpio vehicle, but the police of another

Police Station were arrived on the road. Therefore, the driver took turn and tried to run away by another road. But, the Scorpio in which the applicant was traveling was stuck in the pit. All the persons in the vehicle fled away in dark. The police seized the said Scorpio and the weapons like rod and sword from the said vehicle.

4. Learned counsel for the applicant would submit that the applicant was barely a passenger in the said case. He was not knowing about the weapons carried in the said vehicle. Since, he was frightened, he fled away. On the next day of the incident, the applicant was arrested on suspicion. Nothing has been recovered from him. There are no antecedents to his discredit. Hence, he may be granted bail.

5. Learned APP opposed the application contending that the offence was serious. The accused was not the passenger,. He was with the co-accused to commit dacoity and attempt was made to kill the public servants. The investigation is in progress. Hence, he may not be granted bail.

6. Perused the papers. The prosecution has a case as discussed above. On the next day of the incident, the applicant was arrested. He has undergone the police custody, but nothing is recovered from him. The applicant was not the driver of the

vehicle involved in the crime. There was a material progress in the investigation. The weapons and vehicle used in the crime have already been seized. The trial may take its time. In view of the facts of the case, it would be inappropriate to keep the applicant behind bar. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant **MOHAMMED TAHER QURESHI S/O. MOHAMMED IQBAL QURESHI** be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of the like amount, in Crime No.19 of 2023, registered by Police Station Biloli, District Nanded, for the offences punishable under Sections 399, 307, 353, 279, 427, 402 of the IPC and Section 4/25 of the Indian Arms Act, on the following conditions :
 - (a) The applicant shall attend the Police Station as and when called by the Investigating Officer on written notice till filing charge sheet.

- (b) He shall not tamper with the prosecution witnesses.
- (c) He shall not involve in a similar crime.

(S. G. MEHARE, J.)

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vmk/-