

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

939 BAIL APPLICATION NO.624 OF 2023

NOUMAN KHAN IBRAHIM KHAN
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Prashant Prabhakar Giri.
APP for Respondent-State : Mr. K. S. Patil.
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CORAM : S. G. MEHARE, J.
DATE : 18.04.2023

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.141 of 2022, registered at Osman Nagar Police Station, District Nanded, for the offence punishable under Section 392 read with Section 34 of the IPC. Subsequently, the Investigating Officer added Section 395 of the IPC.
3. The FIR *prima facie* shows that there were four persons involved in the crime. Therefore, it raises a serious doubt about the application of Section 395 of IPC. Nothing has been recovered from the applicant. The Test Identification Parade was not held. There were no antecedents to the discredit of the

applicant. The applicant is a 22 years old young boy. In view of the facts of the case and the material investigation against the applicant, it would be inappropriate to keep the applicant behind bar. Hence, the following order:

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant **NOUMAN KHAN IBRAHIM KHAN** 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.141 of 2022, registered at Osman Nagar Police Station, District Nanded, for the offence punishable under Section 392, 395 read with Section 34 of the IPC, on the following conditions :
 - (a) The applicant shall not tamper with the prosecution witnesses.
 - (b) He shall not involve in a similar crime.
 - (c) He shall attend the Police Station as and when called by the Investigating Officer on written notice.

(S. G. MEHARE, J.)

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vmk/-