

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

BAIL APPLICATION NO.640 OF 2023

SHAMSHIR KADIR SHAIKH
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Shaikh Mohammad Naseer A
APP for Respondent: Mr. S. P. Deshmukh
...

CORAM : S. G. MEHARE, J.

DATE : 26.04.2023

PER COURT :

1. Heard the learned counsel for the applicant and the learned A.P.P for respondent/State.
2. The applicant is seeking bail in Crime No. 56 of 2023 registered with Police Station Bazarpeth Bhusawal, Taluka Bhusawal, District Jalgaon for the offences punishable under Sections 328, 420, 419 read with Section 34 of the Indian Penal Code and Section 33, 33(a) of the Maharashtra Medical Practitioners Act and Section 7 of the Drugs and Magic Remedies (Objectionable Advertisements) Act 1954.
3. Perusal of the papers reveals that the applicant was practicing Medicine in Ayurveda in the name of the co-accused

who was Unani doctor. Ayurvedic medicine was recovered from the place where the applicant was practicing.

4. The prosecution has a case that except Ayurvedic medicine he did not prescribe any other medicines. Considering the facts and circumstances of the case, the applicant deserves bail. Hence, the following order :-

ORDER

- (i) The application is allowed.
- (ii) Applicant Shamshir Kadir Shaikh be released on bail on furnishing P. B. and S.B. of Rs. 50,000/- with one solvent surety of the like amount, in aforementioned crime registered with aforementioned police station, on the following conditions :-
 - (a) He shall not tamper with the prosecution witnesses.
 - (b) The applicant shall attend the concerned police station as and when called on written notice by the investigating officer, till filing the charge sheet.
 - (c) The applicant would not pose himself as a Ayurvedic Medical Practitioner and not practice as such henceforth.

**(S. G. MEHARE)
JUDGE**