

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

918 BAIL APPLICATION NO.762 OF 2023

SYED MAZHAR ALI S/O. AHMED ALI
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Syed G R
APP for Respondents: Mr. S B Narwade

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CORAM : S. G. CHAPALGAONKAR, J.
Dated : May 16, 2023
(VACATION COURT)

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PER COURT :-

1. The applicant is seeking regular bail in connection with Crime No.29 of 2022 registered with Kotwali Police Station, Parbhani, District Parbhani for the offence punishable under sections 363, 368, 370, 202, 34 of the Indian Penal Code. His application with similar prayer Exh.1 in Cri.B.A. No.273 of 2023 came to be rejected by the learned Additional Sessions Judge, Parbhani vide order dated 17.4.2023.

2. Learned counsel for the applicant submits the applicant is an old aged person. The applicant is father of original accused no.7 Sultana and it is alleged that though he was having knowledge of the alleged incident, he had not cooperated during the course of the investigation. Hence, he is

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arrayed as an accused in this crime. Investigation is over. The applicant is in jail since 7.3.2023. The applicant may be released on bail.

3. Learned A.P. P. has strongly resisted the application. Prima facie, there is strong case against the applicant. The applicant may not be released on bail.

4. On going through the allegations made in the complaint and on perusal of the police papers, it appears that the applicant is the father of original accused no.7. No specific role is attributed against him in commission of alleged offence. The detention of applicant is only because he is father of co-accused and failed to report his activities to the police. The applicant is in jail since 7.3.2023. Investigation is over. Thus, by imposing certain conditions, I am inclined to release the applicant on bail. Hence, following order.

O R D E R

I. Application is hereby allowed.

II. The applicant Syed Mazhar Ali s/o Ahmed Ali in connection with Crime No.29 of 2022 registered with Kotwali Police Station, Parbhani, District Parbhani for

the offence punishable under sections 363, 368, 370, 202, 34 of the Indian Penal Code, be released on bail on furnishing Personal Bond of Rs.15,000/-(Rs. Fifteen Thousand) with one surety of the like amount, on the following conditions :-

- a] The applicant shall not tamper with the prosecution evidence, in any manner.
- b] The applicant shall attend the concerned police station once in a week i.e. on Every Monday between 10 am to 12 pm till filing of the charge-sheet.

III. Bail application is accordingly disposed off.

(S. G. CHAPALGAONKAR, J.)

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