

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

929 BAIL APPLICATION NO.832 OF 2023

SAYYED HADI (HAJI) SAYYED HASSAN
VERSUS
THE STATE OF MAHARASHTRA

...

Advocate for Applicant : Mr. Sayyed Mudassar Sd. Nazeer
APP for Respondent : Ms. V. N. Patil Jadhav

...

AND

934 BAIL APPLICATION NO.865 OF 2023

MOHAMMAD SHARIF MOHAMMAD SHAFI
VERSUS
THE STATE OF MAHARASHTRA

...

Advocate for Applicant : Mr. Ameya N. Sabnis
APP for Respondent : Ms. V. N. Patil Jadhav

...

CORAM : S. G. MEHARE, J.

DATE : 09-06-2023

PER COURT :-

1. Heard the learned counsels for the applicant and the learned A.P.P. for the respondent/State.
2. The applicants are seeking bail in C.R.No.0044 of 2023 registered with Chandanzira Police Station, Taluka and District Jalna, for the offences punishable under Sections 364A and 385 of the Indian Penal Code.
3. The learned counsel for the applicants would submit that the incident is concocted and imaginary. The applicants had the business transactions. Nothing is remained to be recovered from them. The learned counsel for the applicants referred to the

statements of the witnesses and argued that the said statements would show that money transaction was done in the morning itself. Hence, there was no reason to commit the crime as alleged.

4. Per contra, the learned A.P.P. would submit that there are antecedents to the discredit of the applicants. The serious crime has been committed. They have extracted the money from the complainant by kidnapping him. Hence, the applicants do not deserve bail.

5. Perused the papers and the statements of the witnesses. It appears that the applicants and the complainant had some money transactions. Many suspicious circumstances transpire from the material placed before the Court. In the facts and circumstances of the case, the applicants deserve bail. Hence, the order :-

- i) Bail Applications are allowed.
- ii) Applicant Sayyad Hadi (Haji) Sayyed Hassan in B.A.No.832 of 2023 and applicant Mohammad Sharif Mohammad Shafi in B.A.No.865 of 2023, be released on bail, on furnishing PB and SB of Rs.50,000/- each, with one solvent surety of the like amount, in C.R.No.0044 of 2023 registered with Chandanzira Police Station, Taluka and District Jalna, for the offences punishable under Sections 364A and 385 of the Indian Penal Code, on the conditions that,
 - (a) They shall not contact with complainant and witnesses till conclusion of the trial.
 - (b) They shall attend the trial on each and every effective date.

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