

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

928 BAIL APPLICATION NO.888 OF 2023

SHAHBAAZ BEG S/O HUSSAIN BEG
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Ladda Somnath G., Mr. Lohade
Akshay Pawan.
APP for Respondent-State : Mr. K. S. Patil
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CORAM : S. G. MEHARE, J.
DATE : 27.07.2023

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.221 of 2022, registered with Kotwali Police Station, District Parbhani, for the offence punishable under Sections 302, 201, 143, 147, 148, 149 read with Section 34 of the IPC and Section 135 of the Maharashtra Police Act.
3. The Investigating Officer relied upon the C.C.T.V. footage. However, it was not supplied to the accused. Hence, he was directed to supply the copies of the C.C.T.V. footage to the applicant. The Investigating Officer wrote a letter addressed to the learned APP and clarified that the present applicant was

not captured in the C.C.T.V. footage. The similarly situated co-accused has been released by this Court on bail. The applicant was not captured in the C.C.T.V. footage, which was the best evidence of the prosecution. The similarly situated co-accused has been granted bail. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant **SHAHBAAZ BEG S/O HUSSAIN BEG** be released on bail on furnishing PB. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of like amount, in Crime No.221 of 2022, registered with Kotwali Police Station, District Parbhani, for the offence punishable under Sections 302, 201, 143, 147, 148, 149 read with Section 34 of the IPC and Section 135 of the Maharashtra Police Act, on the following conditions :
 - (a) The applicant shall not tamper with the prosecution witnesses.
 - (b) He shall attend the trial on each and every effective date.

(S. G. MEHARE, J.)

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