

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO.922 OF 2023

WASIM KHAN @ PRINCE S/O YUSUF KHAN
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Nilesh S. Ghanekar
APP for Respondent : Ms. V. N. Patil Jadhav

...
BAIL APPLICATION NO.895 OF 2023

MUSTAQUEEM KHAN YUSUF KHAN
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. S. G. Diwan, Mr. N. Y. Kingaonkar
APP for Respondent : Ms. V. N. Patil Jadhav

...

CORAM : S. G. MEHARE, J.

DATE : 12-06-2023

PER COURT :-

1. Heard the learned counsel for the applicants and the learned A.P.P. for the respondent/State.
2. The applicants are seeking bail in C.R.No.31 of 2023 registered with Nanalpeth Police Station, Parbhani, District Parbhani, for the offences punishable under Sections 304, 341, 143, 147 and 149 of the Indian Penal Code.
3. The papers reveal that about three to four days before the death of the deceased, the incident happened as the deceased and the witnesses over took the vehicle of some unknown persons and those unknown persons beat the deceased and the witnesses.

However, the report of the said incident was not lodged. The CCTV footage only shows that the applicants/accused were passing through the road, but no actual accident was captured. The so-called witnesses were examined belatedly. It seems that it was the incident which happened on the spur of the moment. No deadly weapons have been used in the crime. There are no antecedents to the discredit of the applicants. The investigation has been completed. The applicants have roots in Parbhani. Taking the facts and circumstances into consideration, the further detention of the applicants would serve no purpose. They deserve bail. Hence, the order:-

- i) Bail applications are allowed.
- ii) Applicant Wasim Khan @ Prince s/o. Yusuf Khan in Bail Application No.922 of 2023 and applicant Mustaqueem Khan Yusuf Khan in Bail Application No.895 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 the aforesaid crime, on the conditions that,
 - (a) They shall not tamper with the prosecution witnesses.
 - (b) They shall attend the trial on each and every effective date.

(S. G. MEHARE)
JUDGE