

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

BAIL APPLICATION NO.1155 OF 2023

**SABER NURULA CHAUDHARI AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicants : Mr. P. P. More
APP for Respondent: Mr. Y. G. Gujarathi

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CORAM : S. G. MEHARE, J.

DATE : 19.07.2023

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 Crime No. 218 of 2023, registered with Anandnagar Police Station, District Osmanabad, for the offence punishable under Sections 353, 352, 332, 187, 143, 147, 148, 149 and 427 of Indian Penal Code.
3. The facts of the case reveal that the applicant and one Suchita Sarjerao Tekale had a dispute over a piece of land. On the date of the alleged incident there was a quarrel between them. Then the police came and the present incident happened. The root cause for the

incident was the dispute over the piece of a land. When the police came on the spot, the applicants felt that police did not support them as they are Muslims. The police tried to pacify the applicants but they did not listen and then the incident happened. The applicants have also sustained injuries in the incident at the hands of the police. The applicants were immediately arrested and so called weapons have also been recovered. Considering the nature of the incident and period of their languishing in the jail, it would be unjustified to keep them behind bar. However, the apprehension of the prosecution of repeating the crime can be guarded by imposing certain conditions. Hence, the following order :-

ORDER

- (i) The application is allowed.
- (ii) The applicant No.1 Saber Nurula Chaudhar, applicant No.2 Faraj Saber Chaudhari and applicant No.3 Zulfikar Saber Chaudhari be released on bail on executing P.B. and S. B. of Rs. 50,000/- each with one solvent surety in the like amount in connection with the above crime, on the conditions that :-
 - (a) They shall not tamper with the prosecution witnesses.
 - (b) They shall attend the police station as and when called by the Investigating Officer on written notice, till filing charge sheet

against them.

- (c) They shall not enter Osmanabad town except for attending the trial and police station, if called on written notice, for six months from the date of their release.
- (d) They shall not involve in similar crime.

(S. G. MEHARE)
JUDGE

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