

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

938 BAIL APPLICATION NO.1189 OF 2023

1. MOHD. AKRAM SHAHABUDDIN
2. MOHD. NEMATULLAH MOHD KAISAR
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicants : Mr. Shaikh Mazhar A. Jahagirdar.
APP for Respondent-State : Ms. V. N. Patil-Jadhav.

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CORAM : S. G. MEHARE, J.
DATE : 26.07.2023

PER COURT :-

1. Heard the learned counsel for the applicants and the learned APP for the respondent-State.
2. The applicants are seeking bail in Crime No.488 of 2023, registered with Sangamner City Police Station, District Ahmednagar, for the offence punishable under Sections 354-A, 366, 506 read with Section 34 of the IPC.
3. The FIR reveals that applicant No.1 and the victim met on Instagram and they were playing PUBG game for two years. After having conversation for two years, they decided to meet. Accordingly, applicant No.1 with his friend applicant No.2 came to Sangamner. Then, the victim came there. It has been

alleged that applicant No.1 expressed her talk separately. Hence, he took her at the lonely place. There, he caught her hands and said that she should come with him to the State of Bihar as he intend to marry her. She said him that she did not have such intention. She has merely friendship with him. That time, applicant No.2 also threatened her and tried to kidnap her. The passerby helped her and she was rescued.

4. Admittedly, the applicants are the residents of the State of Bihar. That may not be the ground to refuse the bail. As far as the facts of the case are concerned, it is admittedly a long period acquaintance and the victim met them voluntarily. No weapon has been used in the crime. There are no other allegations except holding her hand and threats. The applicants are also young boys. However, to guard the apprehension of their absconding, certain conditions may be imposed. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant No.1. **MOHD. AKRAM SHAHABUDDIN** and 2. **MOHD. NEMATULLAH MOHD KAISAR** be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) each

with one solvent surety of like amount each, in Crime No.488 of 2023, registered with Sangamner City Police Station, District Ahmednagar, for the offence punishable under Sections 354-A, 366, 506 read with Section 34 of the IPC, on the following conditions :

- (a) The applicants shall not tamper with the prosecution witnesses.
- (b) They shall submit their Cell phone numbers, their Aadhar Cards and Cell phone numbers of their parents with the proof of their permanent residence to the police before their release.
- (c) They shall attend the trial on each and every effective date.
- (d) They shall not involve in the similar crime.

(S. G. MEHARE, J.)

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vmk/-