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

BAIL APPLICATION NO.1299 OF 2023

**ATIK RAHIM KHAN
VERSUS
THE STATE OF MAHARASHTRA**

**WITH
BAIL APPLICATION NO.1300 OF 2023**

**FEROZ JABBAR SHAIKH @ MAMU
VERSUS
THE STATE OF MAHARASHTRA**

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Advocate for Applicant : Mr. Gaikwad Anil M.
APP for Respondent/State : Mr. Y.G. Gujarati

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CORAM : S.G. MEHARE, J.

DATED : AUGUST 08, 2023

PER COURT:-

1. Heard learned counsel for the applicants and learned APP for the State.
2. The applicants are seeking bail in Crime No.43 of 2023 registered with Ambajogai City Police Station, District Beed for the offences punishable under Sections 302, 143, 148, 149, 341, 323, 504, 506 of the Indian Penal Code.
3. The applicants were not named in the FIR. However, the prosecution has arraigned them as accused on the basis of the statement of the co-accused and CDR. Nothing is recovered from them. They are also not the relatives of other co-accused. They have

claimed that they have been falsely implicated in the crime. They are not the residents of Ambajogai. No test identification parade was held. There was no incriminating material against the applicants.

4. Considering the material collected against the applicants, there is nothing except the CDR. Whether they were in contact with each other for the crime, shall be tested before the trial Court during the trial. In the facts of the case, the applicants deserve bail. Hence, the following order :

ORDER

- (i) Both Bail Applications are allowed.
- (ii) The applicants, Atik Rahim Khan in Bail Application No.1299 of 2023 and Feroz Jabbar Shaikh @ Mamu in Bail Application No.1300 of 2023, be released on bail on executing P.B. and S.B. of Rs.50,000/- (Rupees fifty thousand) each with one solvent surety in the like amount each in connection with the above crime, on the conditions that they shall not tamper with the prosecution witnesses.
- (iii) The applicants shall attend the trial on each effective date.

(S.G. MEHARE, J.)