

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
BAIL APPLICATION NO.1809 OF 2023**

VASIM SAYYAD MEHBOOB SAYYAD
VERSUS
THE STATE OF MAHARASHTRA

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Mr. D. D. Pande, Advocate for the Applicant.
Mrs. P. V. Diggikar, APP for Respondents-State.

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**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 20th OCTOBER, 2023.**

PER COURT:-

1. The applicant seeks regular bail in connection with Crime No.505/2023 registered with Chopda City Police Station, District Jalgaon for the offences punishable under Sections 323, 327, 504, 510 r/w 34 of the Indian Penal Code.

2. The investigation was set in motion on the basis of the information given by Shakil Sayyad Ismail, who alleges that on 25.09.2023 he consumed liquor with his friend namely Karim @ Kalu Rasul Arab. Thereafter, he came back in Chopda town, where he saw that Kalu was beating unknown person. The said incident was recorded by informant and made viral through Facebook. Thereafter, they proceeded to the shop of the applicant i.e. Vasim Sayyad Kyaramwala at Azad Chowk. At that place the informant and Kalu had quarreled. It is alleged that the applicant had also given fist and kicks blows to the informant, whereas accused Karim @ Kalu snatched amount of Rs.10,000/- from his pocket. With these allegations, the offence punishable under Sections 323, 327, 504, 510 r/w 34 of the Indian Penal Code came to be registered against the accused persons.

3. Mr. Pande, learned Advocate appearing for the applicant submits that even considering the contents of the FIR

as its is, the limited role is attributed against the applicant that he has gave fists and kicks blows to the informant. At the most offence under Section 323 can be attributed against him. As such, he urges to release the applicant on bail.

4. The learned APP opposes the application on the ground that the investigation is still in progress.

5. Having considered the submissions advanced, apparently only allegation employed against the applicant is that he has gave fists and kicks blows to the informant. No role is attributed against applicant. So far as snatching amount of Rs.10,000/- is concerned, such allegations are restricted against the accused Karim @ Kalu. The offence under Section 323 of the Indian Penal Code may attract against the applicant, which is bailable. The applicant is behind the bar since 26.09.2023. The investigation so far as applicant's role is over. Further detention of the applicant would not be necessary. Hence, case is made out for grant of bail. Hence, the following order:

ORDER

- (i) Bail Application is allowed.
- (ii) The applicant, Vasim Sayyad Mehboob Sayyad be released on bail in Crime No.505/2023 registered with Chopda City Police Station, District Jalgaon for the offences punishable under Sections 323, 327, 504, 510 r/w 34 of the Indian Penal Code on furnishing P.B. and S.B. of Rs.50,000/- (Rs.Fifty Thousand only) each on following condition:
 - a. The applicant shall not tamper with the prosecution evidence in any manner.
 - b. The applicant shall co-operate in the investigation.

c. The applicant shall attend each and every effective date before the Trial Court.

(iii) Application is disposed of.

(S. G. CHAPALGAONKAR)
JUDGE

Devendra/October-2023