

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO.2016 OF 2023

SHAHROKH KAHN KALIM KHAN
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Abhaysinh K. Bhosle
APP for Respondent/State : Mr. S.V. Hange

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

DATED : DECEMBER 05, 2023

PER COURT:-

1. Heard learned counsel for the applicant and learned APP for the State.
2. This is a successive bail application of the applicant in Crime No.33 of 2020 registered with Savda Police Station, District Jalgaon for the offences punishable under Sections 302, 120-B, 34 of Indian Penal Code.
3. The earlier bail application of the applicant was rejected for the reason that the applicant was involved in another case on the report lodged by the deceased.
4. Learned counsel for the applicant would submit that the applicant has been acquitted from that case. Therefore, the applicant deserve bail. He attached the copy of the judgment of the said case.
5. Learned APP verified the facts and state that the applicant has been acquitted in the said crime.

6. In the facts and circumstances of the case, the application of the applicant deserves to be reconsidered. Perusal of the charge sheet reveals that the applicant was involved in the case only on suspicion. The investigation was completed. Nothing was to be recovered from the applicant. The applicant is languishing in jail for sufficient time. Considering the substantial change in the circumstances and the role attributed to the applicant in the crime, he deserve bail. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) The applicant, Shahrukh Khan Kalim Khan, be released on bail on executing P.B. and S.B. of Rs.50,000/- (Rupees fifty thousand) with one solvent surety in the like amount in connection with the above crime, on the conditions that he shall not tamper with the prosecution witnesses.
- (iii) The applicant shall attend the trial on each and every date.

(S.G. MEHARE, J.)