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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO. 53 OF 2023

YASIN ABDULLA SHAIKH
VS.
STATE OF MAHARASHTRA

..APPLICANT
..RESPONDENT

Mr. Ravishankar Dwivedi for the Applicant.
Ms. Veera Shinde, APP for the State.
API Jayadip Jadhav, DCB CID Unit-5.

CORAM : M. S. KARNIK, J.

DATE : SEPTEMBER 13, 2023

P.C. :

- 1.** Heard learned counsel for the applicant and learned APP for the State.
- 2.** This is an application for bail in respect of the offence punishable under Sections 302, 307, 120-B, 201 read with 34 of the Indian Penal Code (hereafter 'IPC' for short) and under Sections 3, 4, 25, 27 of Indian Arms Act registered on 12.02.2022 vide C.R. No.16 of 2022 with DCB CID Unit-5, Kurla, Mumbai.
- 3.** There are in all nine accused. The applicant is the accused no.7. Initially the provisions of the Maharashtra

Control of Organised Crime Act, 1999 were to be invoked against the applicant. However, sanction was not granted.

4. The accusations against the applicant are that he is a part of gang of which Kalim Rauf Sayyed-accused No.8 is the gang leader. The gang was given a contract to eliminate Amir Anis Khan. On the date of the incident i.e. 12.02.2022 the accused No.2-Saeed Shaikh @ Saeed Langada and accused No.3-Afsar Shaikh @ Bablu Mulla fired at Amir. Amir died. So far as the present applicant is concerned, it is the case of learned counsel that the assailants after fleeing from the scene of the offence kept their clothes worn by them in the house of the applicant. The accusation is mainly that the applicant is a part of the conspiracy. The clothes have been recovered pursuant to recovery under Section 27 of the Indian Evidence Act at the instance of the applicant. The applicant was arrested on 16.02.2022 and is now in custody for more than one year and six months. Considering the nature of accusations against the applicant and also considering that there are no criminal antecedents reported against the applicant, the applicant can be

enlarged on bail. The investigation is complete. The charge-sheet has been filed. The trial is likely to take a long time to conclude. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant-Yasin Abdulla Shaikh in connection with C.R. No.16 of 2022 registered with DCB CID Unit-5, Kurla, Mumbai shall be released on bail on his furnishing P.R. Bond of Rs.25,000/- with one or more sureties in the like amount.
- (c) The applicant shall attend the Investigating Officer of DCB CID Unit-5, Kurla, Mumbai once in a month every first Monday of the month between 11.00 a.m. and 1.00 p.m.
- (d) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.
- (e) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

5. The application is disposed of.

(M. S. KARNIK, J.)