



Diksha Rane

22. BA 192-23.doc

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

BAIL APPLICATION NO.192/2023

AMAN SALIM SHAIKH

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. M. M. Nadar for the applicant.
Ms. Veera Shinde, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : SEPTEMBER 21, 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, 342, 142, 143, 145 read with 34 of the Indian Penal Code (hereafter 'IPC' for short) read with Sections 37(3), 135 of the Maharashtra Police Act registered on 30/5/2021 vide C.R. No.146/2021 with Wagle Estate Police Station.
- 3.** The applicant is in custody for more than two years and three months. There are in all thirteen accused. The applicant is the accused no.6. It is the case of the

prosecution that on the date of the incident i.e. 29/5/2021 there was an attempt by the victim to kidnap the 6 year old daughter of the accused no.1. The crowd which had gathered which included the applicant caught hold of the victim. The crowd assaulted the victim. The victim died due to head injury. The accusation against the applicant is that he assaulted the victim with fist blows.

4. Considering the nature of the accusations and now that the applicant is in custody for two years and three months with no possibility of the trial concluding any time soon, in the facts and circumstances of the present case, the applicant can be enlarged on bail. The investigation is complete. The charge-sheet has been filed. There are no criminal antecedents reported against the applicant. The applicant does not appear to be a flight risk. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant- Aman Salim Shaikh in connection with C.R. No.146/2021 with Wagle Estate Police Station, 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 is permitted to furnish cash bail surety in the sum of Rs. 25,000/- for a period of 6 weeks in lieu of surety.

(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.

(f) The applicant shall attend the trial regularly.

5. The application is disposed of.

(M. S. KARNIK, J.)