



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

BAIL APPLICATION NO. 551 OF 2023

ZAID JAHANGIR SINDAGIKAR

..APPLICANT

VS.

STATE OF MAHARASHTRA

..RESPONDENT

Adv. Ritesh M. Thobde a/w Adv. Sagar S. Tambe for the
Applicant.

Mr. N. B. Patil, APP for the State.

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 307, 323, 506 read with 34 of
the Indian Penal Code, Sections 4 and 5 of the Arms Act
and Sections 37(1)(a) and 135 of the Maharashtra Police
Act registered on 14/09/2021 vide C.R. No.640 of 2021 with
Faujdar Chavadi Police Station, District Solapur.

3. The applicant is the accused No.2. The applicant was
arrested on 05/10/2021. It is the prosecution's case that
there was a dispute relating to the property between the

brothers. The alleged incident took place on 13/09/2021. It is alleged that injured Bandagi Husenbasha Sindagikar and Mehabub Shabbir Bagwan were assaulted by the present applicant with a sword. In the medico-legal certificate of an injured - Mehabub Shabbir Bagwan, it is mentioned that the patient was referred to the surgery department where he advised admission. The patient was not willing to be admitted and took discharge against the medical advice. There is no information about the injuries whether they are simple or grievous. So far as the injured Bandagi Husenbasha Sindagikar is concerned, the medico-legal certificate discloses he has suffered simple injuries. The injury, no doubt, is on the head.

4. Learned APP opposed the application contending that the injuries are serious in nature.

5. The applicant has been in custody since 05/10/2021 for almost 2 years with the possibility of trial concluding any time soon appearing remote. Learned counsel for the applicant states that there are no criminal antecedents reported against the applicant. The investigation is

complete and the charge-sheet has been filed. In this view of the matter, the applicant can be enlarged on bail imposing certain conditions. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant- Zaid Jahangir Sindagikar in connection with C.R. No. 640 of 2021 registered with Faujdar Chavadi 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 shall not tamper with the evidence.
- (d) The applicant shall not threaten the injured persons and other witnesses.
- (e) The applicant shall stay out of the jurisdiction of Faujdar Chavadi Police Station till further orders.
- (f) The applicant shall attend the trial Court on the dates of hearing regularly, unless exempted by the Court for some reason.
- (g) The applicant shall furnish the details of place of residence to the Investigating officer.

6. The application is disposed of.

(M. S. KARNIK, J.)