



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

BAIL APPLICATION NO.876 OF 2023

MOHAMMAD BILAL KASHIM SHAIKH ..APPLICANT

VS.

THE STATE OF MAHARASHTRA ..RESPONDENT

Adv. Hasan Sayed i/b. Adv. Mohd. Muqim Khan for the
Applicant.

Ms. Rutuja Ambekar, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : OCTOBER 10, 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, 272, 273, 188, 179, 34 of
the Indian Penal Code (hereafter 'IPC' for short) and under
Sections 26(2)(1), 26(2)(4), 27(3)(D), 3(i), (zz)(v) of
Prevention of Food Adulteration Act, 2006 registered on
16.10.2021 vide C.R. No.792 of 2021 with Kalyan Railway
Police Station.

3. The date of the incident is 15.10.2021. The incident
happened in the running train near Kasara Railway Station.

There are in all three accused. The applicant is the accused No.2. The accused No.3 is still absconding. The three accused demanded some extortion money from the victim. When he refused to pay the money the victim was assaulted by a knife and blade.

4. Learned APP opposed the application for bail. Learned APP submitted that blood stained clothes are recovered at the instance of the applicant.

5. There is no recovery of the weapon at the instance of the present applicant. The applicant was arrested on 15.10.2021. He is 18 years of age. The applicant is in custody almost for two years. There are no criminal antecedents reported against the applicant. The investigation is complete and the charge-sheet has been filed. In the facts and circumstances of the present case I am inclined to enlarge the applicant on bail. I have gone through the injury certificate. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant-Mohammad Bilal Kashim Shaikh in connection with C.R. No.792 of 2021 registered with

Kalyan Railway 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 attend the Investigating Officer of Kalyan Railway Police Station 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.

(f) The applicant shall attend the trial regularly.

(g) The applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.

6. The application is disposed of.

(M. S. KARNIK, J.)