

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

BAIL APPLICATION NO. 3477 OF 2022

Rehman Sarfaraj Shaikh

...Applicant

vs.

The State of Maharashtra

...Respondent

Datta Mane a/w Maruti Sarkar, Akash Yadav -Advocate for the
Applicant

Mr. H. J. Dedhia - APP for the Respondent-State

CORAM : S. M. MODAK, J.

DATE : 06th JUNE, 2023

P. C. :-

1. Even though learned Advocate for the Applicant tried to convince me that benefit of the parity can be granted to him, I am not convinced. He relied upon the orders passed by learned Additional Sessions Judge in Bail Application No. 449 of 2022, dated 26/04/2022 and order dated 30/09/2021, passed in Bail Application No. 935 of 2021, and order dated 22/10/2021, passed in Bail Application No. 1153 of 2021. The same benefit cannot be granted to this applicant. It is for the reason that the present Applicant has assaulted the deceased Imran Iqbal with the help of knife and he has

succumbed to those injuries. There is also recovery of the knife.

2. So no case for bail is made out. Applicant is behind bar since May, 2021, if trial will not start within one year he is at liberty to apply bail a fresh.

3. These are my *prima facie* observations and the trial Court shall decide the case on its own merits without influenced by observations made in this order.

[S. M. MODAK, J.]