



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

1013 BAIL APPLICATION NO. 134 OF 2024

AJIM AAREF SAYYAD
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Nilesh S. Ghanekar.
APP for Respondent/State : Mrs. Pratibha J. Bharad.
...

CORAM : **SANJAY A. DESHMUKH, J.**
DATE : 15th February, 2024.

P.C.:

1 Heard.

2 This is an application, under Section 439 of the Code of Criminal Procedure, 1973, for grant of regular bail in connection with Crime No.365 of 2023, registered with City Chowk Police Station, District Aurangabad, for the offences punishable under Sections 307, 323, 326, 504 and 506 read with 34 of the Indian Penal Code.

3 It is averred in the report that quarrel took place on account of parking of the vehicle. The applicant assaulted the informant by knife and he sustained injuries to his left eye. Another co-accused Rizwan Syed also assaulted him by slap. The applicant has assaulted on the back of the informant by knife. Therefore, the report was lodged.

4 The learned counsel for applicant submitted that the charge-sheet is filed. The applicant has roots in the society. He will not flee away from the trial. Considering all these aspects, it is lastly prayed to allow the application.

5 The learned APP for the State strongly opposed the application and submitted that the applicant is booked for serious crime of attempt to commit murder. The complete eyesight is lost by the informant. The applicant has caused injury to the vital part of the informant. The applicant's relatives have threatened to the family members of the informant to compromise the matter. It is lastly prayed to reject the application.

6 Perused the charge-sheet, particularly, the report and injury certificate of the informant. The injury certificate shows that there are four injuries and injury sustained to the left eye is grievous, caused by sharp weapon. The informant is discharged from the hospital. The applicant has roots in the society. He will not flee away from the trial. The trial will take long period. The applicant's presence can be secured. Considering the facts and circumstances of the case and that the applicant has no criminal antecedents, the application deserves to be allowed on certain stringent conditions. Hence, the following order:-

ORDER

- I. The application is allowed.
- II. The applicant in connection with Crime No.365 of 2023, registered with City Chowk Police Station, District Aurangabad, for the offences punishable under Sections 307, 323, 326, 504 and 506 read with 34 of the Indian Penal Code, be released on bail on furnishing personal bond of Rs.50,000/- with surety of the like amount on following conditions:-
 - a) The applicant shall not pressurize the prosecution witnesses, in any manner.
 - b) The applicant shall not tamper with the prosecution evidence, in any manner.
 - c) The applicant shall not indulge in similar activities again.
 - d) The applicant shall not enter into Manzurpura area, Aurangabad, till the conclusion of trial.
 - e) It is pointed out that the applicant's family members threatened the informant and his family members. If such an incident occurred again, the Trial Court is at liberty to proceed against the applicant for cancellation of his bail without reference to this Court.

[SANJAY A. DESHMUKH, J.]