



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO. 336 OF 2024

ARBAJ SHAIKH ISMAIL
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Ms. Manjusha Pandurang Ware
(appointed Through Legal Aid)
APP for Respondent : Mr. A. S. Shinde
...

CORAM : S. G. MEHARE, J.

DATE : 15-03-2024

PER COURT :-

1. Heard the learned counsel for the applicant and the learned A.P.P. for the respondent/State.
2. This is a successive bail application in C.R.No.85 of 2022 registered with City Police Station Jalgaon, Taluka and District Jalgaon, for the offence punishable under Sections 302 and 201 read with Section 34 of the Indian Penal Code.
3. The similarly situated co-accused Shaikh Nasir Shaikh Ashpak has been granted bail. However, the learned Additional Sessions Judge, Jalgaon, declined bail to this applicant on parity, for the sole reason that this Court had rejected his earlier bail application.

4. Perusal of the record and the role attributed to the applicant, there appears parity with co-accused Shaikh Nasir Shaikh Ashpak. Hence, the applicant deserves parity.

ORDER

- i) The application is allowed.
- ii) Applicant Arbaj Shaikh Ismail be released on bail on executing P.B. and S.B. of Rs.50,000/- (Rs. Fifty Thousand Only) with one solvent surety of like amount, in C.R.No.85 of 2022 registered with City Police Station Jalgaon, Taluka and District Jalgaon, for the offences punishable under Section 302 and 201 read with Section 34 of the Indian Penal Code, on the following conditions;
 - (a) He shall attend the trial on each and every effective date;
 - (b) He shall not tamper with the prosecution witnesses;
 - (c) He shall not protract the trial unnecessary.
- iii) The Secretary, High Court Legal Services Sub-Committee, Aurangabad, do pay the fee to the learned counsel appointed for the applicant, as per the schedule.

(S. G. MEHARE)
JUDGE