



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

913 BAIL APPLICATION NO. 513 OF 2024

1) Ziauddin Gayasuddin Kazi
2) Shaikh Nazim s/o Shaikh Yunus

VERSUS

The State Of Maharashtra

Advocate for Applicant : Mr. Shaikh Nasimoddin Rafiyoddin
APP for Respondents: Mr. Satish A. Gaikwad

WITH

914 BAIL APPLICATION NO. 522 OF 2024

Shaikh Ibrahim Shaikh Hamid Qureshi

VERSUS

The State of Maharashtra and another

Advocate for Applicant : Mr. Ghanekar Nilesh S.
APP for Respondents: Mr. R.D. Raut

CORAM : SANJAY A. DESHMUKH, J.
DATED : 30th APRIL, 2024.

PER COURT :-

1. The applicants are seeking bail in connection with crime No.609 of 2023 registered with Chopada City Police Station, Dist. Jalgaon, for the offences punishable under sections 307, 353, 332, 143, 147, 148, 149, 323, 506, 427, 109 of the Indian Penal Code.

2. Informant is the API of Chopada City Police Station. He averred in the report dated 02.12.2023 that on 01.12.2023, at about 10.00 to 10.30, he got phone call that quarrel took place on suspicion of carrying of live stock to the slaughter house. That live stock was proceeding from Aadgaon by foot. The people in Aadgaon village

prohibited them on the doubt that the live stock is likely to be carried to the slaughter house. They took one person out of them along with bullock cart etc., to the Police Station, Chopada. Therefore, informant went there. He was in his uniform. He came to know that the people were gathered near to Asha Talkies square. He along with Police Constable Santosh Pardhi went there. He noticed that 25-30 persons gathered there. He tried to disburse the said mob but the people in the mob started to make hue and cry and also caused obstacles there. They broken spectacle, beaten him by fists and kicks blow. The Police Constable Santosh Pardhi tried to control them but he was also assaulted by mob. One Shaikh Sajid Shaikh Salim Qureshi assaulted informant by iron fighter to the elbow of his left hand. He sustained injuries to the left hand's elbow and also on his ear. He was also again assaulted by the stick by Shaikh Sajid. Eight persons were apprehended on the spot itself on that day itself.

3. The learned advocates for the applicants in both the applications submitted that no any weapon is seized at the instance of these applicants. Though the names of the applicants are mentioned in the F.I.R. there is no specific role attracted to them. Though the applicants have criminal antecedents, however, they have been acquitted from the said cases. It is lastly prayed to allow the applications.

4. The learned APP strongly opposed the applications and pointed out the injury certificates of the injuries caused to the informant. It is lastly prayed to reject the applications.

5. Perused the report and papers of investigation. Though the names of the applicants are mentioned in the F.I.R. no any specific role is attributed to them. The applicants have roots in the society. They will not flee away from the trial. No any weapon is seized from the applicants. Therefore, the further custody of the applicants is not necessary. Considering all these aspects, the applications of the applicants deserve to be allowed on certain conditions. Hence, the following order.

O R D E R

- I. Applications are hereby allowed.
- II. The applicants in both the applications, in connection with crime No.609 of 2023 registered with Chopada City Police Station, Chopada, Dist. Jalgaon, for the offences punishable under sections 307, 353, 332, 143, 147, 148, 149, 323, 506, 427, 109 of the Indian Penal Code, be released on bail on furnishing personal bond of Rs.25,000/- each with one surety of the like amount by each of them, on following conditions:-
 - a) The applicants shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
 - b) The applicants shall not indulge/repeat any such type of

crime again.

III. The parties to act upon authenticated copy of this order.

(SANJAY A. DESHMUKH, J.)

rlj/