



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

975 BAIL APPLICATION NO. 589 OF 2024

1) Syed Shoeb Syed Anwar
2) Syed Ashfaq Alam Syed Ansar

VERSUS

The State Of Maharashtra

Advocate for Applicant : Mr. Paikrao Siddharth B.
APP for Respondents: Mrs. Deepali S. Jape

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

PER COURT :-

1. This is an application for granting bail under section 439 of the Code of Criminal Procedure, 1973 (for short "Cr.P.C.") in connection with crime No. 102 of 2024 registered with Nanalpeth police station, District Parbhani for the offences punishable under Sections 307, 324, 323, 504, 143, 147, 148, 149 of the I.P.C. Their application with similar prayer bearing criminal bail application No. 170 of 2024 came to be rejected by the learned Additional Sessions Judge-2, Parbhani vide order dated 20.03.2024.

2. It is averred in the report that the informant and his family members were the tenants of the father of these applicants, who is also co-accused. The applicants and their family members were insisting the informant the their family members to vacate that premises given on rent. The applicants had assaulted the informant

and his father. The applicants used knife in the assault. Thereafter, the report was lodged.

3. Learned advocate for the applicants submitted that the practical investigation is over, The applicants have roots in the society. There are no criminal antecedents. The trial will take a long period. The applicants are the students and they have to appear for the examination which is scheduled to be held on 4.5.2024. In support of the same, the applicants have filed examination schedule and bonafide certificate etc. on record. Considering the peculiar set of facts, it is lastly prayed to allow the application.

4. Learned A.P.P. for the respondent-State has strongly opposed the application and submitted that the applicants are involved in serious crime. The injury certificate shows that serious injuries are caused to the father of the informant. If the applicants are released on bail, they will certainly threaten the prosecution witnesses. It is lastly prayed to reject the application.

5. Perused the papers of investigation. The practical investigation is over. The further custody of the applicants is not necessary. The applicants have no criminal antecedents. Considering the fact that the applicants are students and their examinations are to be held on 4.5.2024, the application deserves to be allowed on certain conditions. Hence, the following order.

O R D E R

- I. Application is allowed.
- II. The applicants in connection with crime No. 102 of 2024 registered with Nanalpeth police station, District Parbhani for the offences punishable under Sections 307, 324, 323, 504, 143, 147, 148, 149 of the I.P.C. be released on bail on furnishing personal bond of Rs.50,000/- each with one surety each of the like amount on following conditions:-
 - a) The applicants shall not tamper with the prosecution evidence and shall not pressurize the witnesses, in any manner.
 - b) The applicants shall not enter in Parbhani city except on the dates for attending the trial fixed by the trial court and also for attending the college and examination.
 - c) The applicants shall not visit the informant and his family members and pressurize them.
 - d) If any breach of the above conditions are noticed by the trial court, the trial court is at liberty to cancel the bail of the applicants without reference to this Court.
6. Humdast allowed.

(SANJAY A. DESHMUKH, J.)