



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

925 BAIL APPLICATION NO. 702 OF 2024

Altaf Mehbub Shaikh

..APPLICANT

-VERSUS-

The State of Maharashtra

..RESPONDENT

Advocate for Applicant : Mr. More Abhijit S.

APP for Respondent/State : Mr.Mukesh K. Goyanka

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CORAM : SANJAY A. DESHMUKH, J.
DATED : 3rd MAY, 2024.

PER COURT :-

1. The applicant is seeking bail under section 439 of the Criminal Procedure Code, 1973 (for short, "Cr.P.C."). The applicant has been arrested in connection with crime No.130 of 2024 registered with Dharashiv City Police Station, for the offences punishable under sections 109, 143, 147, 148, 149, 307, 353, 332, 336, 504, 506 of the Indian Penal Code, under section 3 of the Prevention of Damage to Public Property Act, 1984 and under section 135 of the Maharashtra Police Act.

2. It is averred in the report that, the riot took place on 25.03.2024 on account of instigating statements made on the part of both the sides. Therefore, the applicant and other accused are arrested on the basis of report submitted by the Police Sub-Inspector

Sandeep Ohol of Dharasiv Police Station.

3. The learned advocate for the applicant submits that the applicant is falsely implicated in the said crime. He is only reporter of "Pulic Satark Times". He had just recorded as to what happen about that incident. He submitted that other co-accused are released on bail. The applicant has roots in the society. He will not flee away from the trial. Practical investigation is over. There is absolutely no evidence against the applicant. He lastly prayed to allow the application.

4. The learned APP for the respondent-State strongly opposed the application and submitted that the applicant is involved in the serious crime. The possibility of commission of same nature of crime at the instigation of the applicant cannot be ruled out. Investigation is in progress and is not yet completed. Many persons have sustained injuries in that incident. It is lastly prayed to reject the application.

5. Perused the papers of investigation, particularly report and statements of the witnesses. The applicant has roots in the society. He will not flee away from the trial. He has no criminal antecedents. Practical investigation is over. Trial would take long period. Considering all these reasons, the application deserves to be allowed on certain conditions. Hence, the following order.

O R D E R

- I. Application is allowed.
- II. The applicant in connection with crime No.130 of 2024 registered with Dharashiv City Police Station, for the offences punishable under sections 109, 143, 147, 148, 149, 307, 353, 332, 336, 504, 506 of the Indian Penal Code, under section 3 of the Prevention of Damage to Public Property Act, 1984 and under section 135 of the Maharashtra Police Act be released on bail on furnishing personal bond of Rs.25,000/- with one surety of the like amount on following conditions:-
 - a) The applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence in any manner.
 - b) The applicant shall not publish any news which will create such riot etc., in future and shall not indulge in any such activities in future.
- III. If any breach of the above condition is noticed by the trial Court, the trial Court is at liberty to cancel the bail granted to this applicant without further reference to this Court.

(SANJAY A. DESHMUKH, J.)