



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

BAIL APPLICATION NO. 727 OF 2024

1. Samad Khan Mehmood Khan, Age 55 years,
2. Junaid Khan Samad Khan, Age 26 years,
Both R/o. Lane No.18, Asifiya Colony,
Near Habib Kirana, Aurangabad .. Applicants

Versus

1. The State of Maharashtra
2. Commissioner of Police Aurangabad .. Respondents

...
Advocate for Applicants : Mr. Nilesh S. Ghanekar
APP for Respondent No.1 : Ms. S. S. Joshi
...

CORAM : S. G. MEHARE, J.

DATE : 21-06-2024

PER COURT :-

1. Heard the learned counsel for the applicants and the learned A.P.P. for respondents.
2. The applicants seek bail in C.R.No.0078 of 2024 registered with Begumpura Police Station, District Aurangabad, for the offences punishable under Sections 307 and 506 read with Section 34 of the Indian Penal Code.
3. Though the first information report has been registered against the applicants with the specific allegations of assault at the hands of the applicants to the injured, in the CCTV footage, these two applicants are not seen. Only two persons were seen

assaulting the injured. The weapon like sword is used to assault the injured in the crime. The C.C.T.V. footage, now-a-days, is a best evidence to identify the assailants. Since the applicants were not seen in the C.C.T.V. footage, they have good case. Nothing is recovered from them. The so-called rod used in the crime has been seized from the spot of the incident. For the above reasons, the application deserves to be allowed. Hence, the order:-

ORDER

- i) The application is allowed.
- ii) Applicants No. (1) Samad Khan Mehmood Khan and (2) Junaid Khan Samad Khan, be released on bail, on furnishing PB and SB of Rs.50,000/- each, with one solvent surety of the like amount, in the above crime for the aforesaid offences, on the conditions that,
 - (a) They shall not tamper with the prosecution witnesses.
 - (b) They shall attend the police station as and when called by Investigating Officer on written notice, till the conclusion of the trial

**(S. G. MEHARE)
JUDGE**

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