

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

BAIL APPLICATION NO. 1130 OF 2024

Sharif Khan Nasir Khan  
VERSUS  
The State Of Maharashtra

...  
Advocate for Applicant : Mr. Deshpande Chaitanya Chandrakant  
(through V.C.)

APP for Respondent/State : Mr. D.J. Patil

...

**CORAM : S.G. MEHARE, J.**

**DATED : JULY 18, 2024**

**PER COURT:-**

1. Heard learned counsel for the applicant and learned APP for the State.
2. The applicant seeks bail in Crime No.107 of 2023 registered with Deopur Police Station, District Dhule for the offence punishable under Sections 307, 294, 427, 323, 504, 506, 143, 147, 148, 149 of the Indian Penal Code and Sections 4/27 of the Arms Act.
3. The applicant was granted bail by the Court. However, he did not attend the trial. Hence, the proclamation was issued and he was arrested. Thereafter, he applied to the Sessions Court for bail. However, the Court recording his conduct and the under trial of the co-accused, refused to grant him bail.
4. Learned counsel for the applicant would submit that there was no deliberate intention of the applicant to remain absent.

He went to the religious program out of town. Since arrest, he is in jail. He is ready to undertake that he would not miss a single date of the trial.

5. Considering the facts of the case, the Court is of the view that keeping the applicant behind bar would serve no purpose. However, certain stringent conditions should be imposed against him. Hence, the following order :

### **ORDER**

- (i) Bail Application is allowed.
- (ii) Applicant, Sharif Khan Nasir Khan, be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of the like amount in the above crime, on the conditions that;
  - (a) The applicant shall furnish an undertaking before the Additional Sessions Judge, Dhule that he would not miss a single date of the trial unless there are reasons beyond his control.
  - (b) The applicant shall co-operate with the trial.
  - (c) The applicant should furnish fresh surety before the Additional Sessions Judge, Dhule.

**(S.G. MEHARE, J.)**