



IN THE HIGH COURT OF JUDICATURE AT BOMBAY BENCH
AT AURANGABAD

922 BAIL APPLICATION NO. 1155 OF 2024

REHANUDDIN @ BHANJA NAEEMUDDIN

VERSUS

THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Abhaysinh K. Bhosle.

APP for Respondent-State : Mr. S. P. Sonpawale.

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CORAM : S. G. MEHARE, J.

DATE : 22.08.2024

PER COURT :-

1. Heard the learned counsel for the applicant and learned APP for respondent/State.

2. This is a second bail application of the applicant seeking bail on the ground of parity. The learned Sessions Court granted bail to co-accused Shaikh Shamir @ Samir comparing with co-accused Nos.3 and 4. Thereafter, he moved an application before the learned Sessions Court. However, the learned Sessions Court segregated his role and denied bail. Now, the applicant is before this Court.

3. On the basis of the findings recorded by the learned Magistrate, in Exh.60, *prima facie* it seems that the learned

Sessions Court has erred in comparing the role of the Shaikh Shamir with other co-accused Nos.3 and 4. When this facts came to the knowledge of the learned APP, he states that appropriate action will be taken for cancellation of bail of co-accused Shaikh Shamir @ Samir @ Bhanja Shaikh Zakir.

4. The role attributed to the applicant is specific. He and co-accused Shaikh Shamir assaulted the deceased with knife. The applicant repeatedly opened the fire. Therefore, it cannot be said that the applicant deserves bail.

5. When this Court expressed disinclination to grant bail, the learned counsel for the applicant, on instructions, seeks leave to withdraw the bail application.

6. Leave granted.

7. Bail application stands dismissed as withdrawn.

8. Prosecution is directed to attempt to expedite the trial.

(S. G. MEHARE, J.)

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vmk/-