



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

64 BAIL APPLICATION NO. 1738 OF 2024

Sayyad Irfan Sayyad Latif

VERSUS

The State Of Maharashtra

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Advocate for Applicant : Mr. Pathan Hamzakhan I.

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

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CORAM : ARUN R. PEDNEKER, J.

Dated : November 25, 2024.

PER COURT :-

1. Heard learned counsel for the applicant and the learned APP for the respondent-State.
2. The applicant is seeking bail as he was arrested in connection with FIR No.105/2024, dated 22/04/2024, registered with Itwara Police Station, Nanded, District Nanded, for the offences punishable under sections 307, 326, 506 of the Indian Penal Code and Section 4, 25 of the Arms Act.
3. The learned Counsel for the applicant submits that the allegations against the applicant are inconsistent. The complainant and various witnesses state that the incident occurred between 05:30 p.m. and 08:30 p.m., creating ambiguity about the exact time of the alleged incident. Therefore, it is argued that the case appears to be concocted. Furthermore, the statements of witnesses were recorded two days after the incident. It is also contended that the statements of two crucial witnesses, Shaikh Ali and Shaikh Maqдум, who were present at the time of the incident, were not recorded by the police.

4. *Per contra*, the learned APP submits that the FIR was registered on 22/04/2024 at 02:58 p.m., and the complainant's statement was recorded on the same day at 12:15 p.m. The statements of all witnesses were subsequently recorded on 23/04/2024.

5. The learned APP further submits that the victim sustained severe injuries, including the amputation of two fingers due to a sword blow. Additionally, the victim was struck with the sword in a reverse direction below the knee, causing a leg fracture. It is also submitted that the applicant/accused was captured on CCTV footage at the time of the incident. The recovery of the sword at the instance of the applicant/accused further strengthens the prosecution's case.

6. Considering the sufficient evidence connecting the accused to the crime, as well as the serious nature of the injuries inflicted on the victim, this case does not merit the grant of bail to the applicant/accused.

7. In view of the above, the application for bail stands dismissed.

(ARUN R. PEDNEKER, J.)

vj gawade/-.