



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

934 BAIL APPLICATION NO. 1965 OF 2024

SAYYAD IMRAN SAYYAD MANNAN

VERSUS

THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. S. G. Dodya
APP for Respondents-State: Mr. A. A. A. Khan

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CORAM : ARUN R. PEDNEKER, J.

DATE : 18.12.2024

P.C. :

1] Heard learned counsel for the applicant and the learned APP for the respondents-State.

2] The applicant is seeking bail as he was arrested on 6.6.2024 in connection with Crime No.42/2024 dated 25.04.2024 registered with Narsi (N) Police Station, Dist. Hingoli for the offence punishable under Section 143, 147, 148, 307, 326, 149, 323, 506 of Indian Penal Code and under Section 25, 4 Arms Act and under Section 135 of Maharashtra Police Act.

3] The allegation in the FIR are that on 24.04.2024 at about 5.05 hours, the complainant and his brother were sitting on the bench near Kamladevi temple at Navi Babli place. At that time one Sayyad Rizwan was

staring to the complainant and some abuses were given by one Mr. Sayyad Rizwan. Thereafter 8.15 p.m. one Sayyad Mohsin Ali Sayyad Barkat Ali called the informant's father to visit the shop of Sayyad Mannan, son of Sayyad Rizwana.

4] At the same time the complainant also accompanied his father to the shop of Sayyad Rizwana. It is also alleged that when the complainant and his brother were standing near the shop of Sayyad Rizwana at that time the accused went to his house and came out armed with sword, iron rod and caused grievous injury on the head of the brother of the complainant. It is specifically alleged in the FIR that the applicant hit the brother of the informant on the head by means of sword.

5] The medical certificate produced of the brother of the informant shows that there is head injury which is grievous in nature, caused by hard and blunt object. The city scan of the injury reveals that it is a contusion injury but there is no fracture to the head. Contusion injury ordinarily cannot be caused by a sword. There is no open wound on the head of the brother of the informant. There are 4 accused and different roles are attributed to each accused. *Prima-facie* there is some doubt as regards the injury caused by the sword. It should be a matter of trial to be established before the trial Court. Considering the same and that the applicant is in jail from 6.6.2024, and accused namely Sayyad Rizwan Sayyad Mannan was granted bail by

this Court vide order dated 2.8.2024. the applicant need to be granted bail, as the trial in the matter could take a lot of time.

6] In view of the above, the application is allowed in the following terms :

a] The applicant shall be released on bail in connection with Crime No.42/2024 dated 25.04.2024 registered with Narsi (N) Police Station, Dist. Hingoli for the offence punishable under Section 143, 147, 148, 307, 326, 149, 323, 506 of Indian Penal Code and under Section 25, 4 Arms Act and under Section 1 of Maharashtra Police Act, on furnishing PR bond of Rs.15,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

b] The applicant shall co-operate with the trial Court and he shall attend each and every date, unless exempted by the trial Court.

c] The applicant shall not tamper with the evidence of the prosecution and he shall not influence the informant, witnesses and other persons concerned with the case.

f] The applicant, upon being released on bail, shall place on record of the trial Court the details of

his Contact Number and residential address with updates in case of any change.

7] Needless to say, in case of violation of any of the aforesaid conditions, the bail granted to the applicant shall be liable to be cancelled. It is also clarified that the observations made in this order are limited to the disposal of the present bail application. The concerned Court shall proceed further in the matter without being influenced by the observations made hereinabove.

8] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

PRW