



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

975 BAIL APPLICATION NO. 2152 OF 2024

**TALEB BIN SULTAN BIN HAWAIL
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicant : Adv.U.T.Pathan h/f. Adv.T.W.Pathan
APP for Respondent-State : Mr.A.A.A.Khan
...

CORAM : ARUN R. PEDNEKER, J.

DATE : 11.12.2024

P.C. :

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

2] The applicant is seeking bail as he is arrested on 20.01.2022 in connection with FIR No. 0028/2022, registered with CIDCO Police Station, Aurangabad, for the offence punishable under Section 302, 143, 147, 148, 149, 201 and 120-B of the Indian Penal Code and Sections 4 and 25 of the Arms Act, 1959 and Section 135 of the Maharashtra Police Act, 1951.

3] The learned counsel for the applicant submits that this Court, by order dated 27.09.2022, 21.04.2023, 11.06.2024, 30.08.2024 and 08.10.2024, has granted bail

in favour of the co-accused and the Hon'ble Supreme Court has also granted bail in favour of the co-accused, namely Aquib @ Golden Qureshi Yunus Qureshi. The learned counsel for the applicant submits that role of the present applicant is also similar to the role of the co-accused. The learned counsel for the applicant submits that the bail application of the present applicant may be considered on the ground of parity as the co-accused have been granted bail by this Court as well as by the Hon'ble Supreme Court.

4] The aforesaid fact is not disputed by the learned APP and that the co-accused have been granted bail by this Court as well as by the Hon'ble Supreme Court and considering the fact that the applicant is in jail since last 2 years and 11 months and the role of the applicant is similar to the role of the co-accused. In view of the above, the application is allowed in the following terms :

a] The applicant shall be released on bail in connection with FIR No. 0028/2022, registered with CIDCO Police Station, Aurangabad, for the offence punishable under Section 302, 143, 147, 148, 149, 201 and 120-B of the Indian Penal Code and Sections 4 and 25 of the Arms Act, 1959 and Section 135 of the Maharashtra Police Act, 1951, on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

b] The applicant, upon being released on bail, shall not contact the informant, in any manner whatsoever, during the pendency of the trial.

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

d] 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.

e] 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.

5] 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.

6] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

DDC