

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 1487 OF 2024

Sahil Bashir Pathan

VERSUS

The State Of Maharashtra

...

Advocate for Applicant : Mr. Dond Manoj A.
APP for Respondent/State : Ms. V.S. Choudhari

WITH

BAIL APPLICATION NO. 1448 OF 2024

Jafar Bashir Sayyed

VERSUS

The State Of Maharashtra

...

Advocate for Applicant : Mr. N.B. Narwade
APP for Respondent/State : Ms. V.S. Choudhari

...

CORAM : S.G. MEHARE, J.

DATED : SEPTEMBER 10, 2024

PER COURT:-

1. Heard learned counsel for the applicants and learned APP for the State.
2. The applicants seek bail in Crime No.236 of 2024 registered with Newasa Police Station, District Ahmednagar for the offences punishable under Sections 307, 326, 324, 337, 323, 504, 506 r/w 34 of the Indian Penal Code.
3. The incident happened in a hotel for not paying the bill. Since the bill was asked for, the applicant assaulted the waiter with a

knife. The accused and the applicants were captured in CCTV footage. The injured suffered a stab injury on his stomach. The weapon has been recovered. The injured has also been discharged from hospital. The investigation has been completed and the charge sheet has been filed. The sole question is, how long the applicants should be kept behind bar in the absence of assurance of the speedy trial.

4. The learned APP has tried her level best to convince the Court that the offence is serious. Therefore, the applicants do not deserve bail. But she could not ensure the speedy trial.

5. The applicants are young boys. The prosecution was succeeded in collecting the evidence against the applicants. The investigation has been completed. Therefore, it cannot be said at this juncture that they may interfere with the investigation. The applicants and the injured are not the residents of same locality. So, there may not be an apprehension of tampering with the prosecution witnesses. For the above reasons, the Court is of the view that further detention of the applicants would serve no purpose. Hence, the following order :

ORDER

- (i) Both Bail Applications are allowed.
- (ii) Applicants, Sahil Bashir Pathan in Bail Application No.1487 of 2024 and Jafar Bashir Sayyed in Bail Application

(3)

No.1448 of 2024, be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) each with one solvent surety of the like amount each in the above crime, on the conditions that;

- (a) The applicants should not tamper with the prosecution witnesses and should attend the trial on each and every effective date.
- (b) The applicants should try their level best to be good citizens.

(S.G. MEHARE, J.)