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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION**

**BAIL APPLICATION NO.218 OF 2024**

MOHD. SAHIL KALIM SHAIKH

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

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Adv. Ravishankar Dwivedi a/w Adv. Sainath S. Baji for the  
applicant.

Mr. S. V. Walve, APP for the State.  
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**CORAM : M. S. KARNIK, J.**

**DATE : MARCH 18, 2024**

**P.C. :**

**1.** Heard learned counsel for the applicant and learned  
APP for the State.

**2.** This is an application for bail in respect of the offence  
punishable under Sections 302, 307, 120-B, 201 read with  
34 of the Indian Penal Code (hereafter 'IPC' for short) read  
with Sections 3, 4, 25, 27 of the Indian Arms Act, registered  
on 12.02.2022 vide C.R. No.67 of 2022 with Dharavi Police  
Station.

**3.** There are as many as nine accused. The applicant-  
Mohd. Sahil Kalim Shaikh is the accused No.4. The applicant

was arrested on 16.02.2022. It is the case of the prosecution that two of the co-accused who are assailants fired at deceased-Aamir on 12.02.2022. The contract killing was ordered at the instance of accused No.1-Shamsunisa @ Shama Shaikh. The accused No.1-Shamsunisa @ Shama Shaikh was a drug peddler in the area of Dharavi and it is alleged that there was some rivalry with deceased who was opposing selling of drugs. Accused No.1 has been enlarged on bail by an order dated 04.03.2024. It is the case of the prosecution that after some advance was paid by accused No.1 to the gang leader of which the applicant was a member, the applicant accompanied other co-accused to Uttar Pradesh to buy the weapon. The applicant is not the actual assailant.

**4.** Learned APP while opposing the application for bail submitted that the applicant is a conspirator.

**5.** There are no criminal antecedents reported against the applicant. The applicant is in custody for more than two years and one month. Considering the role of the applicant and the materials against him, in the facts and

circumstances of the present case, in my opinion, the applicant can be enlarged on bail. The investigation is complete and the charge-sheet has been filed. Even charge is not framed. Trial is unlikely to conclude soon. Hence, the following order :-

**ORDER**

- (a) The application is allowed.
- (b) The applicant-Mohd. Sahil Kalim Shaikh in connection with C.R. No.67 of 2022 registered with Dharavi Police Station shall be released on bail on his furnishing P.R. Bond of Rs.25,000/- with one or more local sureties in the like amount.
- (c) The applicant is permitted to furnish cash bail surety in the sum of Rs.25,000/- for a period of 8 weeks in lieu of surety.
- (d) The applicant shall attend the Investigating Officer of Dharavi Police Station once in a month every first Monday of the month between 11.00 a.m. and 1.00 p.m. till the trial concludes.
- (e) The applicant shall not directly or indirectly make any inducement, threat or promise to any person

acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.

(f) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

(g) The applicant shall attend the trial regularly. The applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.

(h) The applicant shall surrender his passport to the Investigating Officer.

(i) If the applicant is found violating any of the conditions or involved in any other offences, it is open for the prosecution to apply for cancellation of bail.

**6.** The application is disposed of.

**(M. S. KARNIK, J.)**