

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

CRIMINAL BAIL APPLICATION NO. 1294 OF 2024

Aman Mustak Shaikh ...Applicant

Vs.

The State of Maharashtra ...Respondent

Mr. Raju Suryawanshi, Advocate for Applicant.

Mrs. S. M. Yadav, APP for State-Respondent.

CORAM:- ANIL S. KILOR, J.

DATED:- 29th AUGUST, 2024

PC:-

1) Heard.

2) By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking bail in Crime No. 298 of 2023 registered with Upanagar Police Station, Nashik, for the offences punishable under Sections 302, 307, 120-B, 143, 147, 148 and 149 read with Section 34 of the Indian Penal Code, 1860, Section 4/25 of the Arms Act, 1959 and Section 135 of the Maharashtra Police Act, 1951.

3) Having gone through the charge-sheet and the material collected by the Investigating Officer during the investigation, it is evident that there is sufficient incriminating material against the applicant and he has been identified in the test identification parade.

4) Though the learned Counsel for the applicant is raising a challenge as regards the TIP on the ground that at the same time, three accused persons were put for TIP whereas, as per police manual more than two suspects cannot be put for identification in a single parade.

5) However, considering the nature of the evidence and the nature of allegations against the applicant, such challenge cannot be considered at the time of trial.

6) In the statement of one Krushna Pangare recorded under Section 164 of the Code of Criminal Procedure, 1973, he attributed a specific role against the applicant.

7) The offence is serious. In the circumstances, as there is sufficient incriminating material available on record against the applicant, I am not inclined to grant bail. Accordingly, the application is rejected and disposed of.

[ANIL S. KILOR, J.]