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

BAIL APPLICATION NO.394 OF 2025

1. Shaikh Aslam S/o Shaikh Iqbal
Age: 28 years, Occu.: Labor,
R/o. Kadrabad Plot,
Parbhani, Tq. & Dist. Parbhani.

2. Syed Aman S/o. Syed Zafar,
Age: 18 years, Occu.: Labour,
R/o. Lalitkala Bhavan, Kadrabad Plot,
Parbhani, Tq. & Dist. Parbhani.

... Applicants

Versus

The State of Maharashtra
Through Kotwali Police Station,
Tq. & Dist. Parbhani.

... Respondent

.....
Mr. G.R. Syed, Advocate for Applicants
Mr. C.V. Bhadane, APP for Respondent - State

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CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 08 APRIL 2025

PRONOUNCED ON : 09 APRIL 2025

PER COURT :-

1. Applicants seek their enlargement on regular bail in Crime No.022 of 2025, registered with Kotwali Police Station, Parbhani District Parbhani for offences punishable under Sections 109(1), 118(2), 49, 324(2) r/w Section 3(5) of the Bharatiya Nyaya Sanhita (BNS).

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2. Learned counsel for applicants submitted that, applicants are arrested in above crime on 03.02.2025. That, due to some previous quarrel and dispute, sudden incident had taken place. That, there are allegations that applicants assaulted by means of rod. That, whatever was to be recovered is already recovered. That, investigation being over and mere formality of filing the charge-sheet has to be remained. That, no more further recovery or discovery is shown to be made at the instance of applicants. That, as applicants are ready to abide all and any conditions deemed fit by this Court, learned counsel urges for grant of bail.

3. Learned APP opposed on the ground that both applicants are named in the FIR. That, they have injured two persons. That, there was fracture to injured. That, recovery is at the instance of both the accused. That, there is recovery of vehicle, which is allegedly used in the crime by the accused. That, investigation is still incomplete. On all above grounds, learned APP opposed the bail application.

4. Heard. Perused the papers. FIR dated 16.01.2025 is at the instance of Shaikh Shabaz Shabbir Tamboli. He reported that, there is dispute over open space with Rizwan Khan. On 14.01.2025, it is alleged that, around 08:30 p.m., Shaikh Aslam Shaikh Iqbal,

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Sayyad Aman Sayyad Jafar and Borade at the instance of Rizwan picked up quarrel and issued threats to kill and assaulted informant and his father by means of iron rod and stick. On above report, crime has been registered.

5. Injury certificates, which are part of police papers show that, Shaikh Shabaz Shabbir Tamboli suffered injury to distal femur, whereas, Shaikh Shabbir Tamboli suffered injury on elbow and back. Recovery of road as well as vehicle is already stated to be effected. Though investigation is till stated to be incomplete, what is further to be recovered or discovered is not made known to this Court. Considering the nature of allegation, injuries reflected in the injury certificates, relief as prayed deserves to be granted. Hence, the following order :

ORDER

- (i) Application is allowed.
- (ii) The applicants be released on bail in connection with Crime No.022 of 2025, registered with Kotwali Police Station, Parbhani District Parbhani on executing Personal Bond of Rs.15,000/- each with one surety each in the like amount on following conditions:
 - [a] The applicants shall not tamper prosecution evidence.
 - [b] The applicants shall not enter the vicinity where the informant and his family members reside, till conclusion of trial.

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[c] The applicants shall not leave the area of jurisdiction of the concerned police station till conclusion of trial.

[d] The applicants shall attend the concerned police station twice in every week i.e. on every Tuesday and Thursday between 10:00 a.m. to 02:00 p.m. till committal of case and thereafter, shall regularly attend each and every effective date before the trial court.

**ABHAY S. WAGHWASE,
JUDGE**

S P Rane