



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

935 BAIL APPLICATION NO.454 OF 2025

**SHAIKH AAVES ALIAS ABBU SHAIKH MAHEMOOD
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicant : Mr.A.K.Bhosle
APP for Respondent-State : Mr.S.M.Ganachari
...

**CORAM : ARUN R. PEDNEKER, J.
DATE : 03.07.2025**

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 28.09.2023 in connection with Crime No. 0362/2023, registered with Bhagya Nagar Police Station, Dist. Nanded, for the offence punishable under Sections 307, 353, 332 r/w. 34 of the IPC and Section 4, 25, 27 of Arms Act and Section 135 of the Maharashtra Police Act.

3] It is stated that the applicant was the absconding accused and crime was registered against the applicant and other accused. When the police searching the accused persons, the applicant along with other accused

person assaulted the police. The learned APP produced the injury certificate which shows that the injury is simple in nature. The investigation in the matter is complete and the charge sheet is filed.

4] The learned counsel for the applicant submits that the applicant was absconding accused. He further submits that the Sessions Court, by order dated dated 04.01.2024 in Criminal Bail Application No.193/2023, so also, by order 13.12.2023 in Criminal Bail Application No.928/2023, has granted bail in favour of the applicant in other crimes. He further submits that the Sessions Court, by order dated 17.02.2024 in Sessions Case No.38/2024, has granted bail in favour of applicant and co-accused. He further submits that prior to this crime, name of the applicant was not mentioned in any of the crimes and the name of the applicant has been taken subsequently. Considering the said fact, the bail ought to have been granted in favour of the applicant.

5] The learned APP submits that the applicant has assaulted the police personnel on duty and injury caused to them. He further submits that the trial has commenced. The applicant is habitual criminal, therefore, bail should not be granted in favour of the applicant.

6] Considering that the Sessions Court has granted bail in favour of the applicant and co-accused in other crimes, so also, considering that the injury sustained to the injured is simple in nature and that the applicant is in jail since 28.09.2023, the applicant is granted bail. In view of the same, the application is allowed in the following terms :

a] The applicant shall be released on bail in connection with Crime No.0362/2023, registered with Bhagya Nagar Police Station, Dist. Nanded, for the offence punishable under Sections 307, 353, 332 r/w. 34 of the IPC and Section 4, 25, 27 of Arms Act and Section 135 of the Maharashtra Police Act, 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.

7] 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.

8] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

DDC