



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

935 BAIL APPLICATION NO. 652 OF 2025

Arbaz Rashid Shaikh
VERSUS
The State Of Maharashtra

...
Advocate for Applicant : Mr. Patil Dhananjay Shrikant
APP for Respondents-State: Ms. Vaishali N. Jadhav-Patil
...

CORAM : ARUN R. PEDNEKER, J.

Dated : June 12, 2025.

PER COURT :-

1. Heard the learned Counsel for the applicant and the learned APP for the respondent-State.
2. The applicant is seeking bail in connection with FIR No.467/2024, dated 12/12/2024, registered with Paithan Police Station, District Chhatrapati Sambhajnagar, for the offences punishable under Sections 109, 308(5), 115, 352, 351(2), 3(5) of the *Bharatiya Nyaya Sanhita, 2023*, and Sections 4 and 25 of the Arms Act.
3. The case against the present applicant is that, on 11/12/2024, while the informant was present in his hotel, the applicant along with the co-accused allegedly entered the hotel armed with an iron rod and a sword. They demanded Rs.2,000/- from the informant and allegedly threatened to kill him in the event of non-payment. Upon the informant's refusal, it is stated that the applicant assaulted him and also demanded Rs.5,000/- per month as ransom, threatening him with dire consequences in case of non-compliance. Accordingly, the FIR came to be registered.

4. The FIR indicates that no physical injury was caused to the informant. It is also an admitted position that there are no prior antecedents against the present applicant. However, the learned APP points out that another FIR has been registered against the applicant on the same day for a similar offence. The learned Counsel for the applicant submits that there is a dispute between the parties, and the co-accused was assaulted, for which the complaints are lodged. However, the same has not been accepted by the prosecution.

5. Considering the fact that the applicant is in custody since 12/12/2024, and there is no injury caused by the applicant and there are no prior criminal antecedents, and the trial is likely to take considerable time, continued custody of the applicant is not warranted. In such circumstances, the applicant deserves to be released on regular bail.

6. In view of the above, the application is allowed on the following terms: -

a] The applicant shall be released on bail in connection with FIR No.467/2024, dated 12/12/2024, registered with Paithan Police Station, District Chhatrapati Sambhajinagar, for the offences punishable under Sections 109, 308(5), 115, 352, 351(2), 3(5) of the *Bharatiya Nyaya Sanhita, 2023*, and Sections 4 and 25 of the Arms Act, on furnishing a P.R. bond of

Rs.25,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

b] The applicant shall not, in any manner, contact or attempt to contact the informant during the pendency of the trial.

c] The applicant shall co-operate with the trial Court and shall attend all dates of hearing unless exempted by the Court.

d] The applicant shall not tamper with the prosecution evidence and shall not influence the informant, witnesses, or any person concerned with the case.

e] Upon release, the applicant shall furnish his current residential address and contact number before the trial Court and shall inform the Court promptly in case of any change thereof.

7. Needless to state, in case of breach of any of the above 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 trial Court shall proceed independently and uninfluenced by the observations made hereinabove.

8. The application stands disposed of.

(ARUN R. PEDNEKER, J.)

vj gawade/-.