



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 896 OF 2025

Mohammed Shariq Mohammed Bashir
Versus
The State of Maharashtra

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Advocate for the applicant: Mr. Satej S. Jadhav
A.P.P. for respondent: Mr. N. B. Patil
Advocate to assist the A.P.P. : Mr. Balraj P. Pande

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CORAM : SANJAY A. DESHMUKH, J.
DATED : 26th SEPTEMBER, 2025.

PER COURT :-

1. This is an application for granting regular bail under section 483 of Bhartiya Nagarik Suraksha Sanhita (BNSS), 2023 in connection with crime No. 274 of 2024 registered with Kranti Chowk Police station, District Aurangabad, for the offences punishable under Sections 109, 115-2, 118-2, 351-3, 189-2, 191-2, 191-3 and 190 of the Bhartiya Nyay Sanhita, 2023.

2. The learned advocate for the applicant has drawn attention to the report, wherein the informant has averred that a quarrel took place between the informant and the applicant's family regarding the location of a shop, following the collapse of an old wall due to heavy rains. On 30.09.2024, the informant went to his shop where renovation work was in progress. At about 1:15 p.m., the applicant

arrived at the shop along with his two brothers, his uncle, and his son. They allegedly attempted to forcibly move the iron wall belonging to the applicant. Upon the informant questioning them as to why they were forcibly moving the wall, they started abusing the informant. The brother of the applicant Mohd. Farooque Mohd. Bashir asked the informant as to why and in what capacity he has broken the wall of the shop. The informant was convincing him. He assaulted on beneath of his ear. At that time, Mohd. Farooque took out a knife and said that they will not allow him to live and assaulted on the left side of his stomach for three times. The informant sustained injuries to his left ribs and also on stomach. The blood was oozing from it. The applicant Mohd. Shariq also came with a knife. He also assaulted on his stomach for two times. The nephew of the informant Mohd. Raja tried to stop the applicant but the applicant assaulted on his left hand by the knife. He also beaten him by brick on his head and chest. At that time, the brother of the applicant Mohd. Tariq took that knife from the hands of the applicant and assaulted the informant's back for two times. The informant sustained serious injuries. Blood was oozing from it. The uncle of the applicant Afsar Shaykumar and son of Sharekh Shayan also assaulted the informant on his chest by the brick. While stopping that the informant sustained injuries to his right hand finger. The applicant and other co-accused ran away. The informant was taken to the hospital and

treated. Accordingly, the informant lodged the report.

3. Learned advocate for the applicant submitted that two co-accused persons are released on bail. The applicant has roots in the society. He will not flee away from the trial. The trial will take a long period. The further custodial interrogation of the applicant is not necessary. The applicant is the only bread earner in the family. It is lastly prayed to allow the application.

4. The learned APP for the respondent-State, assisted by learned advocate Mr. Pande, has strongly opposed the application and submitted that the applicant has a hot temper. He had committed similar nature of crimes in the past. The applicant may pressurize the prosecution witnesses and tamper with the evidence. Considering the role of the applicant, the application deserves to be rejected.

5. Perused the papers of investigation, particularly the report and the injury certificate of the informant, as well as the seizure panchanama of the knife etc. The charge sheet is filed. The further custody of the applicant is not necessary. The applicant has roots in the society. He will not flee away from the trial. The trial will take a long period. Considering all these aspects, the application

deserves to be allowed on certain conditions. Hence, the following order.

O R D E R

- I. Application is allowed.
- II. The applicant in connection with crime No. 274 of 2024 registered with Kranti Chowk Police station, District Aurangabad, be released on bail on furnishing personal bond of Rs.25,000/- with one surety of the like amount on following conditions:-
 - a) The applicant shall not tamper with the prosecution evidence and shall not pressurize the witnesses, in any manner.
 - b) The applicant shall not commit similar nature of crime in future and if it is found that he has committed any breach of the above conditions, the informant, the police concerned and the prosecutor, as the case may be, may proceed further to file an application before the trial court for cancellation of bail of this applicant. The learned trial court shall decide the said application without reference to this Court.

(SANJAY A. DESHMUKH, J.)