



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

933 BAIL APPLICATION NO. 907 OF 2025

Arbaz @ Abu Aref Khan Pathan

VERSUS

The State Of Maharashtra

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Advocate for Applicant : Mr. Deshmukh Ashish P
APP for Respondents-State: Ms. Vaishali Patil Jadhav

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CORAM : ARUN R. PEDNEKER, J.

Dated : July 31, 2025.

PER COURT :-

1. Heard learned counsel for the applicant and the learned APP for the respondent-State.
2. The applicant is seeking bail as he was arrested in connection with FIR No.113/2024, dated 11/04/2024, registered with Vimantal Police Station, Nanded, District Nanded, for the offences punishable under sections 307, 324, 504, 506, r.w. 34 of the Indian Penal Code, and under Section 4, 25 of the Arms Act.
3. This is a successive bail application. The earlier bail application filed by the applicant was dismissed as withdrawn on 17/10/2024, when this Court expressed its view not to grant bail. Thereafter, the present application came to be filed.
4. This Court called for a report from the concerned Court regarding the status of the trial. The learned Trial Judge submitted his report on 01/07/2025. It is stated therein that although the matter has been listed on several occasions for depositing the *muddemal*, the Investigating Officer has

failed to do so. As a result, the prosecution has not examined any witness so far. It is further stated that the matter is now kept for the appearance of accused No.2 and is still awaiting deposit of the *muddemal*.

5. The learned Trial Judge also reported that there are as many as 14 cited witnesses in the matter. In total, 61 undertrial matters are pending before the Trial Court, including three cases under the MCOC Act.

6. Having considered the report submitted by the Trial Court, and noting that there is no progress in the trial, this Court also takes into account that in the present case, there are two injured persons, and the injuries sustained are simple in nature. From the medical certificate of Maheboob Khan Husain, it appears that although the nature of injuries is not specifically mentioned, the injuries are shown to be over the left forehead and on the left ring and middle fingers.

7. The learned APP points out that there are 11 antecedents against the applicant, all involving bodily offences. However, considering the lack of progress in the trial, the nature of injuries being simple, and the fact that the applicant is in custody since 12/04/2024, this Court is of the opinion that the applicant deserves to be enlarged on bail.

8. In view of the above, the application is allowed in the following

terms: -

a] The applicant shall be released on bail in connection with FIR No.113/2024, dated 11/04/2024, registered with Vimantal Police Station, Nanded, District Nanded, for the offences punishable under sections 307, 324, 504, 506, r.w. 34 of the Indian Penal Code, and under Section 4, 25 of the Arms Act, on furnishing PR bond of Rs.25000/- 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.

f] The applicant shall not enter Nanded City except on the date of the trial and one day prior to the trial date.

9. 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.

10. The application stands disposed of.

(ARUN R. PEDNEKER, J.)

vj gawade/-.