



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

951 BAIL APPLICATION NO. 1018 OF 2025

**SAYED RASHED SAYED MUSHTAK
VERSUS
THE STATE OF MAHARASHTRA**

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Advocate for Applicant : Mr.C.C.Deshpande
APP for Respondent-State : Mr.N.D.Batule
Advocates for Assist to P.P. : Mr.Mr.P.D.Suryawanshi &
Mr.S.J.Salunke

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WITH
CRIMINAL APPLICATION NO. 2144 OF 2025
IN BA/1018/2025

WITH
CRIMINAL APPLICATION NO. 2162 OF 2025
IN BA/1018/2025

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CORAM : ARUN R. PEDNEKER, J.

DATE : 10.07.2025

P.C. :

1] Heard. For the reasons stated in Criminal Application Nos.2144/2025 & 2162/2025 for assisting to P.P., the same are allowed. Criminal Applications are accordingly disposed of.

2] Heard learned counsel for the applicant, the learned APP for the respondent-State and the learned counsel for the assist to P.P.

3] The applicant is seeking bail as he is arrested on 18.02.2025 in connection with Crime No.31/2025, registered with Neknoor Police Station for the offence punishable under Sections 109, 188 (2), 115 (2), 352, 351 (2), 3 (5) of the Bharatiya Nyaya Sanhita, 2023.

4] The case against the applicant is that on 12.02.2025, the informant had gone to the house of his cousin and the present applicant for giving information about his case at about 9.00 p.m. After having dinner, while he was returning home at about 10.15 p.m., the applicant and co-accused assaulted him and they were saying that the civil dispute in respect of agricultural land between Rashed and Hamid could not be settled only because of the informant.

5] The applicant submits that the applicant and co-accused is alleged to have assaulted the informant on account of civil dispute. He further submits that the applicant is arrested on 18.02.2025 and the investigation in the matter is complete, no further custody of the applicant is necessary. Considering the said fact, the bail should be granted in favour of the applicant.

6] The learned APP submits that there are three simple injuries and one grievous injury caused to the

injured on forearm, therefore, the bail should not be granted in favour of the applicant.

7] The learned counsel for the assist to P.P. submits that there are two cases against the present applicant and in one case the applicant has been released on probation and in second case conviction is given to the applicant till rising of the Court and both cases arises out of bodily offences. The learned counsel further submits that in the event the applicant is released on bail, the applicant would involve in similar offences.

8] The learned counsel for the applicant, on instructions, submits that in the event the bail is granted in favour of the applicant, he would stay away from the jurisdiction of Neknoor Police Station till conclusion of the trial.

9] Considering the submissions of the parties and considering the injuries caused to the injured, so also, considering that the incident has taken place due to civil dispute between the parties and that investigation in the matter is complete and that no further custody of the applicant is necessary, 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.31/2025, registered with Neknoor Police Station for the offence punishable under Sections 109, 188 (2), 115 (2), 352, 351 (2), 3 (5) of the Bharatiya Nyaya Sanhita, 2023, 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 shall not enter the jurisdiction of Neknoor Police Station till conclusion of the trial if the Court situated within the jurisdiction of Neknoor Police Station.
- c] The applicant, upon being released on bail, shall not contact the informant, in any manner whatsoever, during the pendency of the trial.
- d] The applicant shall co-operate with the trial Court and he shall attend each and every date, unless exempted by the trial Court.
- e] 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.

f] 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.

10] 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.

11] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

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