



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

17 BAIL APPLICATION NO. 1270 OF 2025

ARBAZ RASHID SHAIKH

VERSUS

THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Patil Dhananjay Shrikant

APP for Respondent/State : Mr. N.D. Batule

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CORAM : ARUN R. PEDNEKER, J.

DATE : 14/07/2025

P.C. :

1. Heard the 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 Crime No. 468/2024 dated 12.12.2024 registered with Paithan Police Station, Aurangabad Gramin under section 109, 308(5), 115, 352, 351(2), 3(5) of the B.N.S. and u/s. 3 and 25 of Arms Act.
3. Crime is registered on the basis of FIR lodged by the informant Arsh Shakeel Shaik against the applicant and other co-accused. On 11.12.2024 two incidents of the similar nature took place in the neighbouring shops and in the same vicinity within half an hour. In the FIR it is stated that on 11.12.2024 at about 9.30 p.m. when the informant was in his shop, the applicant and other co-accused came to shop of informant and demanded ransom of Rs.3000/- per month and threatened the informant to kill if ransom is not given. It is stated in the FIR that during scuffle, injury to the head of witness Ashfak is caused. Thereafter, within half an hour another offence is also registered against the applicant.

4. The learned counsel for the applicant has pointed out the order dated 12.6.2025 in BA No. 652/2025 filed by the applicant in respect of another offence of similar kind registered against the applicant in which bail is granted to the applicant by observing that the applicant is in custody since 12.12.2024 and there is no injury caused by the applicant. The learned counsel submits that that present FIR is identical to the FIR in BA No. 652/2025. However, in the present FIR it is stated that applicant and other co-accused have assaulted the informant and one witness and caused injury to one witness and threatened the informant. The learned counsel points out the statement under section 183 of B.N.N.S. of the injured witness, in which he has stated that assault was made by the co-accused and not by the present applicant. The learned counsel also submits that three eye witnesses have not stated about the use of any weapon at the instance of applicant, The learned counsel submits that on perusal of injury certificate of injured, it reflects that two simple injuries are caused at the instance of co-accused. The learned counsel submits that the applicant is in custody since from 12.12.2024 and considering that bail is granted to the applicant vide order dated 12.6.2025 in BA No. 652/2025 which is in respect of the similar kind of crime registered on the same day, applicant be granted bail.

5. The learned APP strongly opposed the application on the ground applicant is habitual offender and he is creating terror in the society and there is danger to the society if the applicant is released on bail. The learned APP therefore prays to reject the application.

6. Considering the order dated 12.6.2025 in BA No. 652/2025, granting bail to the applicant and in the present case also, simple injury is caused to the injured is at the instance of co-accused and that the applicant has no

other antecedents except similar offence of the same day and considering that the applicant is behind bars since 12.12.2024, I hold that no purpose would be served if the applicant is kept behind bars till the conclusion of the trial.

7. In view of the above, the application is allowed in the following terms :

a] The applicant shall be released on bail in connection with Crime No. 468/2024 dated 12.12.2024 registered with Paithan Police Station, Aurangabad Gramin under section 109, 308(5), 115, 352, 351(2), 3(5) of the B.N.S. and u/s. 3 and 25 of Arms Act, on furnishing PR 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 indulge himself in to similar kind of offence.

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, for reasons to be recorded in writing.

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.

8. 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.

9. 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.]

SSC/