

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

950 BAIL APPLICATION NO. 1248 OF 2025
WITH
CRIMINAL APPLICATION NO. 2499 OF 2025 IN BA/1248/2025

ABDUL MAJID ABDUL GAFAR
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. S.J. Salunke
APP for Respondents/State : Mr. N.B. Patil
Advocates for assisting APP : Mr. P.R. Katneshwarkar, Sr. Counsel i/b. Mr.
Majit S. Shaikh

...
CORAM : ARUN R. PEDNEKER, J.

DATE : 25/07/2025

P.C. :

1. Criminal Application No. 2499/2025 filed for assisting APP is allowed and disposed of. Mr. P.R. Katneshwarkar, learned Senior Counsel i/b. Mr. Majit S. Shaikh are allowed to assist the learned APP.
2. Heard the learned counsel for the applicant, the learned APP for the respondents-State and Mr. P.R. Katneshwarkar, learned Senior Counsel i/b. Mr. Majit S. Shaikh, learned counsel assisting APP.
3. The applicant is seeking bail as he is arrested in connection with Crime No. 27/2025 dated 20.1.2025 registered with Mondha Police Station, Parbhani, District Parbhani for the offences punishable under sections 296, 333, 115(2), 118(2), 352, 351(2), 351(3), 189(2), 190, 191(2), 76, 129, 87 of B.N.S., 2023.
4. Today, the learned counsel for the applicant has placed on record copy of order dated 1.7.2025 in BA No. 496/2025 in the case of **Mohammad Rizwan Mohammad Zakir Vs. The State of Maharashtra**, by which this Court has granted bail to the co-accused in this crime. The learned counsel for the applicant submits that the role of the applicant is identical to that of co-

accused, who has been granted bail by this Court vide aforesaid order. The learned counsel for the applicant submits that the applicant was arrested on 29.4.2025 and since then he is behind bars. The learned counsel therefore seeks bail to the applicant on the ground of parity.

5. The learned APP as well as the learned senior counsel appearing for respondent No. 2 strongly opposed the application on the ground that the role of the applicant is not identical with the co-accused who has been granted bail by this Court and prayed for rejection of the application.

6. Perused the F.I.R. The role of the applicant being identical to the co-accused Mohammad Rizwan Mohammad Zakir, who has been granted bail by this Court vide aforesaid order. Thus, on the grounds of parity, regular bail can be granted to the present applicant also on the same terms and conditions.

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. 27/2025 dated 20.1.2025 registered with Mondha Police Station, Parbhani, District Parbhani for the offences punishable under sections 296, 333, 115(2), 118(2), 352, 351(2), 351(3), 189(2), 190, 191(2), 76, 129, 87 of B.N.S., 2023, 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, 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, for reasons to be recorded in writing.

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 or visit District Parbhani except for one day before the trial court date, on the date of trial and one day after the trial court date.

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/