



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

38 BAIL APPLICATION NO. 1361 OF 2025

Imran Yenur Shaikh

VERSUS

The State of Maharashtra and another

...

Advocate for Applicant : Mr. S.J. Salunke

APP for Respondents: Mr. K.K. Naik

.....

CORAM : SANJAY A. DESHMUKH, J.
DATED : 22nd SEPTEMBER, 2025.

PER COURT :-

1. This is an application for granting bail under section 439 of Cr.P.C. in connection with crime No.05 of 2018 registered with Sengaoon police station, District Hingoli, for the offences punishable under Sections 302, 201, 120(b), 364 r.w. 34 of the I.P.C.

2. Learned advocate of the applicant pointed out that initially the applicant was arrested on 22.1.2028 and he was released on 4.5.2022. However, he did not attend the trial and therefore, non bailable warrant was issued against him and he came to be arrested on 17.1.2025. He submitted that the applicant has not deliberately avoided to attend the trial and he is ready to attend the trial. For nine months, he is behind bars. The trial is about to conclude. Learned advocate therefore, prayed to allow the application.

3. Learned A.P.P. for the respondent-State has strongly opposed the application and submitted that the applicant has committed breach of conditions of bail granted to him by this Court and failed to attend the trial without any justification. Therefore, the trial court has rightly issued the nonailable warrant against the applicant. The evidence of witnesses is therefore, not recorded. It is lastly prayed to reject the application.

4. Perused the application, particularly the Roznama. It appears that the applicant was absent for hearing of the trial for 19 times fixed by the trial court. Considering the facts and circumstances of the case, 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.05 of 2018 registered with Sengaoon police station, District Hingoli, for the offences punishable under Sections 302, 201, 120(b), 364 r.w. 34 of the I.P.C. 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 attend each and every date fixed by the trial court for conducting the trial in the present case.

(SANJAY A. DESHMUKH, J.)

rlj/