



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

36 ANTICIPATORY BAIL APPLICATION NO. 1297 OF 2024

1. Feroj Usman Kureshi,
2. Mastan Usman Kureshi

VERSUS

The State Of Maharashtra

...
Advocate for Applicant : Mr. Shaikh Kayyum N. h/f Mr. Qureshi Salim Rajjak
APP for Respondents-State: Mr. N. B. Patil
Advocate for Assist to APP : Mr. N. P. Chudiwal
...

**WITH
CRIMINAL APPLICATION NO. 4079 OF 2024
IN ABA/1297/2024**

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CORAM : ARUN R. PEDNEKER, J.

Dated : January 02, 2025.

PER COURT :-

1. Criminal Application No.4079/2024 is filed for Assist to learned APP.
The said application is allowed and disposed of.
2. Heard learned counsel for the applicants and the learned APP for the respondent-State.
3. The learned Counsel for the applicant, on instructions seeks leave to withdraw the ABA No.1297/2024 as regards applicant No.1 - Feroj Usman Kureshi. Application stands dismissed in respect of applicant No.1 - Feroj Usman Kureshi as withdrawn.

4. The applicant No.2 - Mastan Usman Kureshi is apprehending arrest in connection with FIR No.0217/2024, dated 09/07/2024, registered at Gondi Police Station, District Jalna, for the offences punishable under sections 109, 118 (1), 118 (2), 115 (2), 352, 351 (2), 351 (3), 3 (5) of the Bhartiya Nyaya Sanhita, 2023.

5. Considering the injury certificate and the role attributed to applicant No. 2 - Mastan Usman Kureshi, along with the interim protection granted by this Court by order dated 29/07/2024, it is noted that applicant No. 2 has cooperated with the investigation. Accordingly, the interim protection granted on 29/07/2024 is confirmed.

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

i] In the event the applicant No.2 - Mastan Usman Kureshi is arrested in connection with FIR No.0217/2024, dated 09/07/2024, registered at Gondi Police Station, District Jalna, for the offences punishable under sections 109, 118 (1), 118 (2), 115 (2), 352, 351 (2), 351 (3), 3 (5) of the Bhartiya Nyaya Sanhita, 2023, he shall be released on bail on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

ii] The applicant No.2 shall attend the police station as and when called by the police.

iii] The applicant No.2 shall not tamper with the evidence of the prosecution in any manner. He shall not influence the informant, witnesses and other persons concerned with the case.

iv] The applicant No.2 shall co-operate with the investigation and also in the proceedings before the trial Court.

7. In the event, the applicant No.2 violates any of the conditions specified in this order, it shall be liable to be cancelled.

8. It is also clarified that the observations made in this order are limited to the disposal of the present anticipatory bail application and the trial Court shall proceed further in the matter without being influenced by the observations made hereinabove.

9. The application is disposed of.

(ARUN R. PEDNEKER, J.)

vj gawade/-.