



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

901 ANTICIPATORY BAIL APPLICATION NO. 1572 OF 2024

1. BABLU RAJ AHMED SHAIKH @ IRFAN RAJAHMED SHAIKH
2. KALEEM KARIM SHAIKH
3. SALIM RASHID SHAIKH
4. ARBAZ RAFIK SHAIKH
5. KALEEM ANIS SHAIKH
6. ALTAF AFSAR SHAIKH
7. WASIM RAFIK SHAIKH

VERSUS

THE SUPERINTENDENT OF POLICE AND ANOTHER

...

Advocate for Applicant :

Mr. Sagar P. Mahale h/f. Mr. Shaikh Mazhar A. Jahagirdar
APP for Respondent/State: Mr. B. B. Bhise

...

WITH

...

ANTICIPATORY BAIL APPLICATION NO. 1573 OF 2024

1. SHOEB NAWAB PASHA SHAIKH
2. IMRAN RAJ AHMED SHAIKH
3. IMRAN KHALED SHAIKH

VERSUS

THE STATE OF MAHARASHTRA

...

Advocate for Applicant :

Mr. Sagar P. Mahale h/f. Mr. Shaikh Mazhar A. Jahagirdar
APP for Respondent/State: Mr. B. B. Bhise

...

WITH

...

CRIMINAL APPLICATION NO. 4434 OF 2024

IN

ABA/1573/2024

SHIVAJI PANDHARINATH NARALE
VERSUS
SHOEB NAWAB PASHA SHAIKH AND OTHERS

...

Advocate for Applicant : Mr. Bangar Ravi Raosaheb
APP for Respondent/State: Mr. B. B. Bhise

WITH
CRIMINAL APPLICATION NO. 4432 OF 2024
IN ABA/1572/2024

SHIVAJI PANDHARINATH NARALE
VERSUS
BABLU RAJ AHMED SHAIKH @ IRFAN RAJAHMED SHAIKH
AND OTHERS

...

Advocate for Applicant : Mr. Bangar Ravi Raosaheb
APP for Respondent/State: Mr. B. B. Bhise

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CORAM : ARUN R. PEDNEKER, J.
DATE : 10.01.2025

P.C. :

1] The applications for assist to public prosecutor stand allowed.

2] Heard learned counsel for the applicants and the learned APP for the respondent-State.

3] The applicants are apprehending arrest in connection with Crime No.0189 of 2024, registered at

MIDC Paithan Police Station, District Aurangabad, for the offences punishable under Sections 115(2), 118(1), 189(2), 191(2), 191(3), 190, 352, 351 (2) and 351(3) of the BNS.

4] This court had granted interim protection to the applicants by order dated 23.09.2024.

The learned APP today brings it to my notice that out of 3 injured persons, one of them have sustained grievous injuries. The assault was carried out by various persons on the informant and his family members.

However, this court has granted anticipatory bail to one of the similarly placed applicant namely Tajahmed Bashir Sahikh in ABA/1759/2024, dated 04.12.2024.

The learned APP points out that except applicant no.3 – Salim Rashid Shaikh, the others would be similarly placed as Tajahmed Bashir Sahikh. This court has rejected the anticipatory bail application of Mustakim Ayyub Shaikh and Tanvir Rafik Shaikh by order dated 04.12.2024 in ABA/1759/2024, as the applicants withdraw the application.

The learned APP points out that the Salim Rashid Shaikh, who made a telephone call and called others, who had assaulted the victim. The attack is at the instance of the Salim Rashid Shaikh and that he is responsible for the attack and, although, there is no specific role attributed to the assault of Salim Rashid Shaikh; he is the one, who made the phone call and called others and at

his instance the assault has taken place. His role can be like of Mustakim Ayyub Shaikh and Tanvir Rafik Shaikh, whose application is dismissed by this court as withdrawn.

5] In view of above, the application of applicant no.3 in ABA/1572/2024 - Salim Rashid Shaikh is dismissed.

6] In view of the above, the interim protection granted by order dated 23.09.2024 stands confirmed, except applicant no.3 in ABA/1572/2024 - Salim Rashid Shaikh, on the following terms:

i] The applicants shall attend the police station as and when required by the Investigating Officer.

ii] The applicants shall not tamper with the evidence of the prosecution in any manner. They shall not influence the informant, witnesses and other persons concerned with the case.

iii] The applicants shall co-operate with the investigation and also in the proceedings before the trial Court.

7] In the event, the applicants violate 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 applications stand disposed of.

[ARUN R. PEDNEKER]
JUDGE

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