



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

940 BAIL APPLICATION NO. 2342 OF 2025

SAIF ALIAS SONU LATIF SHAIKH
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for applicant : Mr. S.J. Salunke
APP for the respondent – State : Mr. V.M. Chate
...

CORAM : SACHIN S. DESHMUKH, J.

DATE : 19 DECEMBER 2025

PER COURT :

The applicant has approached this Court seeking regular bail in connection with FIR bearing Crime No. 427 of 2025 dated 07.11.2025 registered with Dharur Police Station, Dist. Beed for the offences punishable under section 109, 49, 352, 351(2), 351(3) of the Bharatiya Nyaya Sanhita, 2023.

2. The incident is dated 06.11.2025 wherein the son of the informant has received assault with the help of a kitchen knife.

3. Learned counsel for the applicant submits that the applicant is not the assailant and it is employee working with the hotel has allegedly assaulted the victim. Even the applicant was not present on the spot of incident. Only allegation of instigation is levelled as against the present applicant. Further custodial interrogation of the

applicant is not warranted. The applicant is behind the bar since 07.11.2025.

4. Mr. Chate, learned APP vehemently opposed the application, pointing out the statements of the victim. He submitted that it was the applicant, who instigated the main assailant to give blow, which disentitles the applicant to seek bail.

5. Upon considering the submissions of both parties and perusing the material on record, the allegation of instigation is levelled as against the present applicant whereas assault is attributed to the accused no. 1. Complaint reveals that applicant was not present on the spot at the time of alleged incident. *Prima facie*, case as against the present applicant appears to be of over implication. The applicant is behind bar for sufficient period, as such, no fruitful purpose would be served by continued incarceration of the applicant.

6. Resultantly, the following order is passed :-

ORDER

(I) Application is allowed.

II) Applicant – Saif alias Sonu Latif Shaikh, be released on regular bail upon furnishing P.R. bond in the sum of Rs.50,000/- (Fifty Thousand only) with one or two local solvent sureties in the like amount, in connection with Crime No. 427 of 2025 dated 07.11.2025

registered with Dharur Police Station, Dist. Beed for the offences punishable under section 109, 49, 352, 351(2), 351(3) of the Bharatiya Nyaya Sanhita, 2023, on the following conditions :-

- (a) After his release from jail, the applicant shall report to the Investigating Officer as and when called for in writing.
- (b) The applicant shall attend the trial Court every month between 11.00 am to 1.00 pm. to mark his presence.
- (c) Applicant shall co-operate with the conduct of trial and attend trial Court on all dates unless specifically exempted and will not take any unnecessary adjournment.
- (d) Applicant shall not leave the State of Maharashtra without prior permission of the Trial Court.
- (e) The applicant shall not influence with any of the prosecution witnesses or tamper with the evidence, in any manner.
- (f) Before his actual release from jail, the applicant shall furnish his address where he propose to reside after his release from jail, to the concerned Police Station and also to the Trial Court.
- (g) In case of infraction of the above conditions and / or two consecutive defaults in marking his attendance before trial Court, it shall attract the provisions of Section 439(2) of Cr.P.C. i.e. for cancellation of bail.

7. Needless to state that the observations rendered herein-above are to the extent of consideration of the bail application and trial Judge may not get influenced by these observations and shall consider the case on the basis of evidence on record and in accordance with law.

[SACHIN S. DESHMUKH]
JUDGE

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