



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

BAIL APPLICATION NO. 2393 OF 2024

Shaikh Sameer S/o. Shaikh Akbar
Age: 20 years, Occu.: Labour,
R/o. Anand Nagar, Dhar Road,
Tq. & Dist.Parbhani.

....Applicant
(Accused)

Versus

The State of Maharashtra
Through Police Inspector,
Police Station, Nanel Peth,
Tq. & Dist.Parbhani.

....Respondent

.....
Advocate for Applicant : Mr.Ramchandra J. Nirmal
APP for Respondent : Mr.VM.Chate
.....

CORAM : ABHAY S. WAGHWASE, J.

DATE : 10 FEBRUARY, 2025

ORDER :

1. Applicant seeks enlargement on regular bail on account of his arrest in crime no 0308 of 2024 registered at Nanal Peth Police Sation, Dist.Parbhani for offence under Sections 302, 201 read with 34 of the Indian Penal Code (IPC).
2. Taking this Court through the FIR, it is submitted that FIR is of 08-06-2024 and applicant is arrested in above crime on

22-06-2024. That, FIR is by brother of deceased. That, apparently FIR is registered against unknown persons for unknown reasons. That, chargesheet is filed on 28-08-2024. That, applicant is behind the bars since more than seven months. That, nothing further is said to be recovered or discovered from the applicant. For above reasons, learned counsel prays for grant of bail.

3. Learned APP opposed the application on the ground that serious offence is committed. That, deceased died due to multiple fractures and that, there is extra-judicial confession by one Nasiroddin. Therefore, he prays for rejection of application.

4. After hearing the submissions of both sides and on going through the papers, it emerges that apparently as stated above, FIR is registered against unknown persons for unknown reason. That occurrence is of 07-06-2024 and statement of Nasiroddin to whom accused allegedly gave extra-judicial confession is recorded on 11-07-2024. On visiting the same, he claims to have received extra-judicial confession on 08-06-2024 itself i.e. almost one month back from the date of recording his statement. Therefore, taking the same into consideration and as chargesheet is already filed, and learned

APP could not point out why further custody of applicant is required, relief as prayed deserves to be granted. Hence, the following order :

ORDER

- (i) Application is allowed.
- (ii) Applicant Shaikh Sameer S/o. Shaikh Akbar be released on bail in connection with Crime no.0308 of 2024 registered with Nanalpeth Police Station, Dist.Parbhani on executing Personal Bond of Rs.15,000/- with one surety in the like amount.
- (iii) Applicant shall not tamper prosecution evidence.

(ABHAY S. WAGHWASE)
JUDGE