



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

939 BAIL APPLICATION NO.684 OF 2025

SAHIL FIROZ KHAN

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicant : Mr.Z.H.Farooqui

APP for Respondent-State : Mr.D.J.Patil

Advocate for Assist to P.P. : Mr.Sanket N. Suryawanshi

...

WITH

CRIMINAL APPLICATION NO. 1935 OF 2025

IN BAIL APPLICATION NO.684 OF 2025

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 24.06.2025

P.C. :

1] Heard. For the reasons stated in Criminal Application No.1935 of 2025 for assisting to the P.P., the same is allowed. Criminal Application is disposed of accordingly.

2] Heard learned counsel for the applicant, the learned APP for the respondent-State and the learned counsel for assist to P.P.

3] The applicant is seeking bail as he is arrested on 15.06.2024 in connection with Crime No. 0541/2024, registered with Police Station Tofkhana, District

Ahmednagar, for the offence punishable under Sections 307, 324, 336, 34, 143, 147, 148, 149 of the IPC and under Section 3, 4, 25 of the Arms Act, 1959 and under Section 37 (1), 37 (3) of the Maharashtra Police Act, 1951.

4] The learned counsel for the applicant relies upon the order dated 25.03.2025 passed by this Court in Bail Application No.164 of 2025 and submits that co-accused, namely, Dhanya @ Danish Faruk Shaikh has been released on bail and stated the role of Danish that Dhanya @ Danish came armed with axe and gave blow on the neck of injured whereas accused Sahil also inflicted blow with axe but it was warded off. He further submits that role of the present applicant is lesser than the role of Danish. He further submits that the applicant is arrested on 15.06.2024 and the trial Court would take substantial time to conclude the trial and that there is no recovery at the instance of the applicant. Considering the said fact, the application of the applicant be allowed.

5] The learned APP points out that there are three antecedents against the present applicant. However, the learned counsel for the applicant submits that the applicant has been acquitted in two cases and one case is pending for compromise.

6] Per contra, the learned counsel for the assist to P.P. relies upon order dated 05.05.2025 passed by this Court in Bail Application Nos.385/2025 and 1496/2025 and this Court has refused to grant bail in favour of applicants in the said applications, namely, Ganesh and Sarvar considering the criminal antecedents against them, so also, considering use of weapon. He further submits that the CCTV of the incident is also attached and the presence of the applicant is seen in the CCTV. As such, bail should not be granted in favour of the applicant.

7] Considered the rival submissions. This Court, by order dated 05.05.2025 in Bail Application Nos.385/2025 and 1496/2025, has rejected the bail application of the applicants, namely, Ganesh and Sarvar as there are criminal antecedents against those applicants, so also, considering the use of weapon i.e. chopper. This Court, by order dated 25.03.2025 in Bail Application No.164/2025, has granted bail in favour of co-accused namely Dhanya @ Danish Faruk Shaikh and considering the said order, the bail application of the present applicant is granted as the role of the present applicant is lesser than the role of Dhanya @ Danish, so also, there are no criminal antecedents against the present applicant and that there is no recovery at the instance of the present applicant. In view of the same, the application is allowed in the following terms :

a] The applicant shall be released on bail in connection with Crime No. 0541/2024, registered with Police Station Tofkhana, District Ahmednagar, for the offence punishable under Sections 307, 324, 336, 34, 143, 147, 148, 149 of the IPC and under Section 3, 4, 25 of the Arms Act, 1959 and under Section 37 (1), 37 (3) of the Maharashtra Police Act, 1951, on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

b] The applicant shall not enter the jurisdiction of concerned Police Station, during pendency of the trial.

c] The applicant, upon being released on bail, shall not contact the informant, in any manner whatsoever, during the pendency of the trial.

d] The applicant shall co-operate with the trial Court and he shall attend each and every date, unless exempted by the trial Court.

e] The applicant shall not tamper with the evidence of the prosecution and he shall not influence

the informant, witnesses and other persons concerned with the case.

f] The applicant, upon being released on bail, shall place on record of the trial Court the details of his Contact Number and residential address with updates in case of any change.

8] Needless to say, in case of violation of any of the aforesaid conditions, the bail granted to the applicant shall be liable to be cancelled. It is also clarified that the observations made in this order are limited to the disposal of the present bail application. The concerned Court shall proceed further in the matter without being influenced by the observations made hereinabove.

9] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

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