



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

BAIL APPLICATION NO. 2580 OF 2025

REHMAN AYUB PATHAN

Versus

THE STATE OF MAHARASHTRA

- * Advocate for the Applicant : Mr. A.G. Jadhav
- * APP for Respondent / State : Mrs. M.N. Ghanekar

CORAM : MEHROZ K. PATHAN, J.

DATE : 29th DECEMBER 2025

{ VACATION COURT }

ORDER :

1. The Applicant has filed the present application seeking continuation of the temporary bail granted by this Court vide order dated 10.12.2025 in Bail Application No.2156/2025.

2. The learned Counsel for the Applicant submits that the regular bail application of the Applicant was rejected by this Court vide order dated 06.05.2025 passed in Bail Application No.465/2025. Thereafter, the Applicant filed an application for grant of temporary bail vide Bail Application No.2156/2025 on the ground that the father of the Applicant is suffering from coronary heart disease and is undergoing medical treatment for the same. Except for the aged mother, there is no one to look after the ailing father. This Court, therefore considered the aforesaid submissions

and granted temporary bail vide order dated 10.12.2025 on the condition that the Applicant shall surrender before the concerned Prison Authority upon expiry of three weeks from the date of his release.

3. The Applicant has filed the present Bail Application No.2580/2025 seeking continuation of the interim bail on the ground that the Applicant's father is being treated at MGM Hospital, Aurangabad, and the Applicant's three-year old son is also undergoing treatment in various hospitals. For the further treatment of his father, the interim bail granted by this Court vide order dated 10.12.2025 in Bail Application No.2156/2025 deserves to be continued. It is further submitted that the Applicant has not misused the liberty while on bail and has also not threatened any prosecution witness. Thus, taking into consideration the conduct of the Applicant, the interim bail granted vide order dated 10.12.2025 may be continued.

4. As against this, the learned APP Mrs. Ghanekar vehemently opposes the present application on the ground that, after rejection of the regular bail vide order dated 06.05.2025 passed in Bail Application No.465/2025 by this Court, the Applicant moved the learned Sessions Judge, Nanded for continuation of temporary bail. The learned Sessions Judge, vide order dated 08.10.2025, granted temporary bail for a period of one week. The said temporary bail was thereafter extended, and the temporary bail was continued by order dated 17.10.2025 passed below Exhibit-89 by the learned Additional Sessions Judge.

5. The Applicant thereafter moved another application for continuation of the temporary bail vide Exhibit-100. The said bail application was rejected by the Extra Joint Additional Sessions Judge vide order dated 26.10.2025, and the Applicant was directed to be taken into magisterial custody by 28.10.2025.

6. The Applicant thereafter approached this Court, and this Court vide order dated 10.12.2025 passed in Bail Application No.2156/2025 was pleased to grant temporary bail for a period of three weeks, with a further direction that the Applicant shall surrender before the concerned Prison Authority upon expiry of three weeks from the date of his release. The regular bail application had already been rejected by this Court vide order dated 06.05.2025 passed in Bail Application No.465/2025, with observations made on merits. The Applicant is alleged to have committed the brutal murder of deceased Shaikh Shahbaz by means of sharp weapons, namely a Khanjar and a scythe. There are eye-witnesses to the incident, and previous enmity has also been brought on record. It is further alleged that the Applicant had threatened the deceased on 14.07.2024. The Applicant is stated to have committed the murder of deceased Shaikh Shahbaz on 16.07.2024 by inflicting 52 injuries. Thus, after considering the role of the Applicant, the bail application was rejected by this Court..

7. The Applicant has failed to make out any case for continuation of the temporary bail. The temporary bail application therefore needs to be rejected.

8. I have gone through the application filed by the present Applicant seeking continuation of the temporary bail granted by this Court vide order dated 10.12.2025. The temporary bail application was initially allowed by the Extra Joint Additional Sessions Judge vide order dated 08.10.2025 passed below Exhibit-79. The Extra Joint Additional Sessions Judge, Nanded, thereafter continued the temporary bail for a period of one week by passing order dated 17.10.2025 below Exhibit-89. Subsequently, the Extra Joint Additional Sessions Judge, Nanded, vide order dated 26.11.2025 passed below Exhibit-100, rejected the application filed for continuation of temporary bail.

9. This Court had shown indulgence in granting interim bail to the Applicant only on the ground that the Applicant's father is suffering from coronary heart disease. However, there is nothing on record to show that the Applicant's father was treated in the hospital for the aforesaid disease during the period for which the Applicant was released on temporary bail, either by the learned Sessions Judge or by this Court vide order dated 10.12.2025. The regular bail application had already been rejected by this Court vide order dated 06.05.2025, upon considering the role of the Applicant in committing the murder of deceased Shaikh Shahbaz. The application was rejected by making observations on the merits of the matter. The observations show that sufficient evidence has been collected by the prosecution to establish the guilt of the present Applicant. The Applicant is alleged to have committed the brutal murder of deceased Shaikh Shahbaz by inflicting 52 injuries on his person with sharp weapons.

10. Thus taking into consideration the above facts, I am not inclined to grant continuation of the interim bail granted by this Court vide order dated 10.12.2025. The application is, therefore, rejected.

11. The Applicant is directed to surrender upon completion of three weeks from the date of his release, as directed by this Court vide order dated 10.12.2025 granting temporary bail. In the event of failure of the Applicant to surrender upon completion of the said period, the police authorities are directed to arrest the Applicant and commit him to magisterial custody.

12. The application stands rejected.

**[MEHROZ K. PATHAN]
JUDGE**

Najeeb..