

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 1515 OF 2025

Shahrukh @ Papya Rashid Shaikh	...Applicant
<u>VERSUS</u>	
The State of Maharashtra	...Respondent

**WITH
CRIMINAL BAIL APPLICATION NO. 1853 OF 2025**

Salim Shabbir Shaikh	...Applicant
<u>VERSUS</u>	
The State of Maharashtra	...Respondent

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Mr. Shantanu Kolhe, Advocate for the Applicant in BA/1515/2025.

Mr. Naagesh Khedkar a/w Mr. Rushikesh Netke, Advocate for the Applicant in BA/1853/2025.

Mr. G. S. Rao, A.P.P. for the Respondent – State.

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CORAM	:	N. R. BORKAR, J.
DATE	:	08.05.2025.

P.C.:

1. As both these applications are arising out of one and the same crime, they are being disposed of by this common order.

2. The applicants came to be arrested in Crime No. 476 of 2019 registered at Yerwada Police Station, Dist- Pune for the offences punishable under Sections 307 & 506 read with Section 34 of the Indian Penal Code.

3. The injured in the present case and the present applicants were under-trial prisoners in the Yerwada Prison, Pune. It is alleged that on the date of incident, which took place on 02.07.2019 dispute arose between them on account of some religious issue. It is alleged that during the said dispute, the present applicants and other co-accused assaulted the injured by stone etc. and attempted to commit his murder.

4. I have heard the learned counsel for the applicants and the learned APP for the respondent/State.

5. The bail is sought on the ground of long incarceration as under-trial prisoner. The learned counsel for the applicants submits that the applicants are in jail for five years and ten months and except framing of the charge there is no progress in the trial.

6. On the other hand, the learned APP for the Respondent/State submits that the applicants on the date of incident were in jail for the crime punishable under Section 302 of the Indian Penal Code. It is submitted that considering the facts and circumstances of the case, the applicants may not be released on bail and the trial be expediated.

7. The fact that the applicants are in jail for five years and ten months is not disputed. The trial is not likely to be concluded in near future as except framing of charge there is no progress in the trial. Considering the said facts, I am inclined to release the applicants on bail. In the result, the following order is passed:

ORDER

A] The Applications are allowed.

B] The applicants be released on bail in Crime No. 476 of 2019 registered at Yerwada Police Station, Dist- Pune for the offences punishable under Sections 307 & 506 read with Section 34 of the Indian Penal Code, on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) each with one or two sureties in the like amount.

C] The applicants shall attend the concerned police station twice in a month, i.e., on first & third Saturday between 11:00 am to 2:00 pm, till conclusion of the trial.

D] The applicants shall not commit any other crime.

E] It would be open to the prosecution to file an application for cancellation of bail if the applicants commit breach of any of the above condition.

8. Applications stand disposed of accordingly.

(N. R. BORKAR, J.)