

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

CRIMINAL BAIL APPLICATION NO.3669 OF 2023

Shoukat Mehboob Shaikh Applicant

Versus

State of Maharashtra Respondent

WITH
INTERIM APPLICATION NO.277 OF 2025
IN
CRIMINAL BAIL APPLICATION NO.3669 OF 2023

Sameer Nazir Shaikh Applicant

Versus

The State of Maharashtra & Anr. Respondents

Mr. Aniket Nikam i/b Mr. Amit Icham, Advocate for the Applicant.
Mr. Sameer M. Mangaonkar, APP, for the Respondent – State.
Mr. Satyam A. Surana i/b U. R. Mankapure, for the Intervenor.

CORAM : SHIVKUMAR DIGE, J.

DATE : 4th APRIL, 2025.

P.C. :

1. By this application, the Applicant is seeking regular bail in Crime No.248 of 2020 registered with Mahatma Gandhi Chowk Miraj

Police Station, District : Sangli, for the offence punishable under Sections 307, 341, 323, 504, 506, 143, 144, 147, 148, 149, 120-B, 385 and 387 of the Indian Penal Code, 1860 (for short “IPC”) and Sections (25)4 of the Arms Act, 1959 and Section 3(1)(ii), 3(2), 3(4) of the Maharashtra Control of Organised Crime Act, 1999 (for short “MCOC Act”).

2. It is prosecution’s case that the Applicant and co-accused assaulted the first informant with sharp weapons with intention to kill him, as he was not giving amount for drinking liquor.

3. It is contention of learned counsel for the Applicant that the Applicant is behind bar for more than four years, yet trial has not been commenced. The other co-accused have been released on bail having same allegations. The allegations against the Applicant are that he assaulted the first informant with fist and blows. It may take time to conclude the trial. Hence, requested to allow the application.

4. It is contention of learned APP along with learned counsel for the Intervenor that the Applicant along with co-accused assaulted the first informant with intention to kill him. The trial has commenced, charges have been framed against the Applicant. The Applicant is gang leader and other nine offences have been registered

against him. The motorcycle and sickle used in the crime has been recovered at the instance of the Applicant. If Applicant released on bail, he may threaten the first informant and prosecution witnesses. Hence, requested to reject the application.

5. I have heard all learned counsel. Perused charge sheet.

6. The allegations against the Applicant are that he, along with co-accused, assaulted the first informant with intention to kill him, for not giving money to them for drinking liquor. The allegations against the Applicant are that, he assaulted the first informant with fist and blows. It is alleged that he is gang leader and has antecedents. The Applicant is behind bar for more than four years. It may take time to conclude the trial. The other co-accused have been released on bail. Considering these facts, I pass following order:-

ORDER

- i. The Applicant be enlarged on bail in Crime No.248 of 2020 registered with Mahatma Gandhi Chowk Miraj Police Station, District : Sangli, on executing P.R. Bond Rs.50,000/- each, on furnishing one or two sureties of the like amount.

- ii. The Applicant shall attend the concerned police station as and when required by the Investigating Officer.
 - iii. The Applicant shall inform his latest place of residence and mobile number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Investigating Officer.
 - iv. The Applicant shall not enter in Sangli city except attending Court's date and police station, till recording the evidence of prosecution witnesses.
 - v. The Applicant shall not contact the first informant and prosecution witnesses.
 - vi. The Applicant shall attend the trial Court's date regularly.
 - vii. The trial Court shall not be influenced by the observations made in this order and shall decide the matter on its own merits and in accordance with law.
7. Bail application is allowed in the aforesaid terms and is

accordingly disposed of.

8. All the concerned to act on the authenticated copy of this order.

9. All pending applications stand also disposed of.

(SHIVKUMAR DIGE, J.)