



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO. 406 OF 2025

Shaikh Tousif Shaikh Razzak Qureshi Vs State of Maharashtra

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. M.N.Ali, counsel for applicant.

Mr. N.R.Rode, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 04/07/2025.

1. Present application is preferred by the applicant for grant of bail in connection with Crime No.770/2024 registered with Police Station Wani, District Yavatmal for the offence punishable under Sections 310(2), 309(4), 3(5) of the Bhartiya Nyaya Sanhita, 2023.

2. On the basis of a report lodged by Ankush Bodhe, who is a businessman, the offence came to be registered against the unknown person, on an allegation that he is running a business of mobile shop along with his brother. On 19/08/2024, after closing his shop and collecting a cash amount of Rs. 6,00,000/-, the complainant carried out the said amount in an air bag. At the relevant time, while he was travelling on a two-wheeler along with his brother, a blue-coloured Alto vehicle intercepted them, and unknown person restrained their movement, and by assaulting them, and

looted the said amount. During the investigation, the involvement of the present applicant revealed in the said crime. Furthermore, during the investigation, an amount of Rs. 2000/-, one car, and knife were seized from the present applicant.

3. Heard learned counsel for the applicant, who submitted that with a similar role, the other co-accused is already released on bail by the trial Court. As far as the present applicant is concerned, the amount of Rs.2500/- is already been recovered from the present applicant. One knife and a car were also recovered at the instance of the present applicant. He was also identified during the identification. Now, the investigation is already completed and charge-sheet is filed, though there are criminal antecedents, which are not of a similar nature. In view of that, the applicant be released on bail.

4. Learned APP strongly opposed the said application on the ground that the recovery of the applicant was identified during the identification parade. There are five criminal antecedents against the present applicant. If the applicant is released on bail, there is apprehension of committal of a similar nature of the offence, in view of that, the application deserves to be rejected.

5. On hearing both the sides and on perusal of the investigation papers, it reveals that the involvement

of the present applicant is revealed from recovery of Rs.2500/-. He is also identified during the identification parade. The two incriminating articles, i.e. a car and a knife were recovered at the instance of the present applicant. Admittedly, there are criminal antecedents against the applicant but same are not of a similar nature. Now, the investigation is already completed and the charge-sheet is already filed. Considering the criminal antecedents, the application deserves to be allowed by imposing certain conditions. Accordingly, I proceed to pass the following order.

- a] Criminal application is **allowed**.
- b] The applicant -***Shaikh Tousif Shaikh Razzak Qureshi***, shall be released on bail in connection with Crime No.770/2024 registered with Police Station Wani, District Yavatmal for the offence punishable under Sections 310(2), 309(4), 3(5) of the Bhartiya Nyaya Sanhita, 2023 on furnishing P.R. bond of Rs. 25,000/- with one solvent surety in the like amount.
- c] The applicant shall attend the concerned police station twice in a month on 1st and 15th day of every month till culmination of the trial.

- d] The applicant shall not indulge in similar types of activities.
- e] A single registration of the crime would lead to cancellation of bail.
- f] The applicant shall attend the proceedings before the Sessions Court without seeking any exemption unless there are exceptional circumstances.

Criminal application is **disposed of**.

[URMILA JOSHI-PHALKE, J.]