IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

933 CRIMINAL APPEAL NO. 834 OF 2026

Gaus Mustafa Sayyed ....Appellant

VERSUS

The State of Maharashtra & another .....Respondents

Mr. T. M. Venjane, Advocate for Appellant
Mr. S. P. Joshi, APP for the State.
Mr. Omkar Jadhav, Advocate for the informant.

CORAM : R. M. JOSHI, J.
DATE : 3rd NOVEMBER, 2026.

PER COURT :

1. Appellant seeks regular bail in connection with Crime No. 249/2026, registered with Gandhi Chowki Police Station, Latur, District Latur, for the offences punishable under Sections 118(2), 140(4), 352,3(5) of Bharatiya Nyaya Sanhita and Sections 3(1)(r), 3(1)(s), 3(2), 3(v) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

2. First Information Report indicates that the incident had occurred on 21.04.2026 at about 10.30 pm in which the present Appellant and co-accused assaulted the informant causing him grievous injuries.

3. Learned Counsel for Appellant submits that now investigation is complete with filing of charge-sheet. It is submitted that Appellant cannot be kept in jail by way of pre-trial sentence.

4. Learned APP and learned Counsel for the informant opposed grant of any relief to the Appellant and submit that there are more than 20 antecedents against him. According to them, there is evidence to connect the present Appellant with the crime in question. Learned Counsel for informant raises apprehension with regard to interference in the evidence so also pressurising witnesses and informant by Appellant if he is released on bail.

5. In response to this submission, learned Counsel for Appellant, on instructions, makes a statement that the Appellant shall not enter jurisdiction of Latur City till conclusion of trial.

6. Even if the case sought to be made by prosecution against the Appellant is accepted to be true, question arises before this Court as to whether Appellant can be kept in custody once investigation is complete and charge-sheet is filed. Needless to say that owing the

pendency before the Trial Court, there is no chance of commencement and conclusion of trial within a reasonable period. The apprehension of the informant is taken care by voluntary statement made by him through his Counsel stating that till conclusion of trial the Appellant shall not enter the jurisdiction of Latur City. Hence, the following order :-

ORDER

(i) Appellant Gaus Mustafa Sayyed be released on bail in connection with 249/2026, registered with Gandhi Chowki Police Station, Latur, District Latur, for the offences punishable under Sections 118(2), 140(4), 352,3(5) of Bharatiya Nyaya Sanhita and Sections 3(1)(r), 3(1)(s), 3(2), 3(v) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, on furnishing PR Bond of Rs. 15,000/- (Rs. Fifteen Thousand only) with one surety in the like amount.

(ii) He shall attend every date of trial unless exempted.

(iii) He shall not enter the jurisdiction of Latur City till conclusion of trial except for attending hearing before the Trial Court.

(iv) He shall not contact the witnesses directly or indirectly.

(v) He shall not interfere with the evidence in any manner whatsoever.

(vi) He is further directed to cooperate the investigating agency for further investigation.

(R. M. JOSHI, J.)

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