

BAIL APPLICATION NO.49 OF 2026

... APPLICANTS

The State of Maharashtra

... RESPONDENT

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Baban s/o Ashok Shinde

... APPLICANT

The State of Maharashtra & ors.

... RESPONDENTS

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BAIL APPLICATION NO.50 OF 2026

Azhar Ahmed Shaikh

... **APPLICANT**

VERSUS

The State of Maharashtra

... **RESPONDENT**

.....

Mr. M.S. Karad, Advocate for applicant

Mr. C.V. Bhadane, A.P.P. for respondent – State, assisted by

Mr. A.L. Kanade, Advocate for original informant

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WITH

CRIMINAL APPLICATION NO.349 OF 2026 IN
BAIL APPLICATION NO.50 OF 2026

Baban s/o Ashok Shinde

... **APPLICANT**

VERSUS

The State of Maharashtra & anr.

... **RESPONDENTS**

.....

Mr. A.L. Kanade, Advocate for applicant

Mr. C.V. Bhadane, A.P.P. for respondent No.1 – State

Mr. M.S. Karad, Advocate for respondent No.2

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CORAM : SACHIN S. DESHMUKH, J.

DATE : 28th JANUARY, 2026

PER COURT :

1. Criminal Applications No.350/2026 and 349/2026 are allowed. The original informant is permitted to assist learned A.P.P. in Bail Applications No.49/2026 and 50/2026 respectively.

2. Bail Applications No.49/2026 and 50/2026 are filed by the applicants seeking their release on regular bail in connection

with Crime No.753/2025, registered with Vaijapur Police Station, District Chhatrapati Sambhajinagar for the offences punishable under Sections 109, 118(1), 115(2), 352, 351(2), 351(3), 333, 75, 324(4), 189(2), 189(4), 190, 191, 191(3), 191(2) of the Bhartiya Nyaya Sanhita, 2023.

3. The prosecution case is that, on 25/12/2025, a dispute arose between the son of the informant namely Akash Shinde and accused No.7 Azhar Ahmed, was settled. Thereafter on 26/12/2025 at about 10.00 Hrs., the informant along with family members was in his house and his son Akash Shinde and nephew Moksh Ganesh Shinde had gone in the village. Thereafter heard commotions, therefore, he along with his wife and children rushed out of the house and saw that the applicants and co-accused, armed with weapons i.e. iron rod, wooden log and stones, following his son and nephew on account of previous dispute, co-accused Arbaj Shakil Sayyad assaulted him by iron rod on his head and also assaulted by wooden log and stones, due to which he sustained injuries on head, both hands, shoulder. When his wife, son and niece tried to intervene the quarrel, all accused assaulted them and abused in the name of caste. It is further alleged that, the applicants and co-accused Arbaj outraged modesty of his niece

and entered in his house and caused damage to household articles and vehicle of the informant.

4. Learned counsel for the applicants submits that, the incident occurred on the spur of moment and in any case, now the litigating sides have resolved the dispute and they have arrived at settlement and as such, prayed to allow the bail applications. Mr. Kanade, learned counsel for the informant, confirms the same.

5. Learned A.P.P. for the State invited attention to the injuries sustained by the victim those are on vital part of the body and prayed to reject the bail applications.

6. After having heard the learned counsel for both the sides, and considering the nature of the injuries are simple. In any case, the parties are resolute to resolve the dispute. Apart from aforestated aspect, the investigation is complete for all intents and purpose. Therefore, further incarceration of the applicants is unjustified. In that view of the matter, the bail applications deserve consideration. Hence the order :

ORDER

(i) Both the bail applications are allowed.

(ii) The applicants Abrar Shakil Sayyed, Ashpak Hanif Sayyed, Ekbal Jaffar Sayyed, Zahir Amjad Shaikh and Azhar Ahmed Shaikh be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand) each with one solvent surety of the like amount by each of them in the above crime, on the conditions that :

(a) The applicants shall remain present on each date, unless exempted by the trial Court.

(iii) Needless to state that, nothing stated hereinabove shall be construed as an expression on merits of the case. Learned Trial Court shall proceed independently and uninfluenced by the observations made hereinabove.

(SACHIN S. DESHMUKH, J.)

fmp/-