



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO.154 OF 2026

Mukram Jamal Shaikh
Age: 26 Yrs., Occu. Business,
R/o. New Bhagyanagar, Latur,
Dist. Latur.

..Applicant

Versus

The State of Maharashtra,
(Through Police Inspector)
MIDC Police Station, Latur

..Respondent

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Mr. S. S. Jadhav, Advocate for Applicant.
Mr. B. B. Bhise, APP for Respondent.

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**AND
BAIL APPLICATION NO.220 OF 2026**

Shahabaj S/o Gafar Shaikh
Age: 24 years, Occu. Education,
R/o. Uti (Khu), Post Sawargaon,
Tq. & Dist. Latur.

..Applicant

Versus

The State of Maharashtra,
(Through Police Inspector)
MIDC Police Station, Latur
Tq. & Dist. Latur

..Respondent

...

Mr. P. P. More, Advocate for Applicant.
Mr. B. B. Bhise, APP for Respondent.

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**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 12th MARCH, 2026**

ORDER:-

1. The applicants seeks regular bail in connection with Crime No.751/2025 registered with MIDC Latur Police Station, Dist.

Latur for offences punishable under Sections 103(2), 109, 118(1), 118(2), 115(2), 352, 351(2), 351(3), 189(2), 191(2), 191(3), 190, 3(5) of Bhartiya Nyaya Sanhita, 2023 and Section 135 of Maharashtra Police Act.

2. The investigation was set in motion on the basis of information given by Aditya Gaikwad alleging that on 07.10.2025 freshers party was arranged in his college. Suraj Dhondiram Shinde, Rehan Shaikh, Irfan Pathan and Arif Shaikh were also present at freshers party. At about 03.30 pm, when Suraj Shinde was going out of college gate, Rehan Shaikh and Irfan Pathan had called their two friends. They were holding sticks. Rehan Shaikh and Irfan Pathan and his friends asked informant and Suraj Shinde as to why they raised quarrel with Rehan and Irfan. They hurled abuses towards them. They raised assault by kick and fist blows. The unknown accused inflicted two blows of sticks on his left hand. Another unknown accused hit stick on head of Suraj due to which he suffered grievous injury and fell down on floor. Accused Rehan and Irfan alongwith unknown accused persons were shouting to kill them and continued assault by kick and fist blows. Thereafter, accused persons dispersed from spot.

3. The aforesaid information culminated into registration of FIR No.751/2025 with MIDC Police Station, Latur. The applicant-Shahabaj is arrested on 21.10.2025, whereas applicant-

Mukram is arrested on 13.10.2025. The investigation progressed in matter and finally charge-sheet came to be filed. Summary of charge-sheet shows that applicant-Mukram hit stick on left hand of informant, whereas accused no.1-Rehan gave blow of stick on head of Suraj, who succumbed to injury. So far as role of applicant-Shahabaj is concerned, it is alleged that he drove accused person to spot and then took them back on motorcycle.

4. Mr. More and Mr. Jadhav, learned Advocates appearing for applicants submits that applicants are young age persons. They have been falsely implicated in aforesaid crime. Assuming that contents of FIR and charge-sheet are true and correct, their role cannot be found in assault to Suraj, who lost his life in incident. They would submit that applicants are behind bar for more than four months. The investigation is complete. The charge-sheet is filed. Hence, further detention of applicants would not be necessary.

5. Per contra, Mr. Bhise, learned APP submits that applicants were members of unlawful assembly. Relying upon observations of Supreme Court in case of *Shobha Namdev Sonavane Vs. Samadhan Bajirao Sonvane and Others*¹, he submits that at this stage individual role of applicants would be irrelevant, once it is seen that they were members of unlawful assembly. The young

¹ 2026 INSC 181.

college going boy has lost life on account of assault by accused persons.

6. Having considered submissions advanced by learned Advocates appearing for respective parties, it can be observed that incident in question occurred due to quarrel amongst college students. The applicants are not student of said college. It is alleged that their friends were students of college. *Prima facie*, it appears that, applicants are not ascribed any role in assault to Suraj Shinde, who lost his life. The applicant-Mukram alleged to have hit stick to informant, who suffered contusion on left elbow, which is simple injury. The applicant-Shahabaj is made accused only because accused persons traveled on his motorcycle. So far as assault on deceased, he has no role. No criminal antecedents are shown to discredit applicants. Although Section 149 is invoked, considering limited role ascribed to applicants and their age, this Court finds that no purpose would be served by continuing their detention. Resultantly, case is made out for grant of bail subject to certain conditions. Hence, following order:

ORDER

- (i) Bail Applications are allowed.
- (ii) The applicants, Mukram Jamal Shaikh and Shahabaj S/o Gafar Shaikh be released on bail in Crime No.751/2025 registered with MIDC Latur Police Station, Dist. Latur for offences

punishable under Sections 103(2), 109, 118(1), 118(2), 115(2), 352, 351(2), 351(3), 189(2), 191(2), 191(3), 190, 3(5) of Bhartiya Nyaya Sanhita, 2023 and Section 135 of Maharashtra Police Act on furnishing P.B. and S.B. of Rs.50,000/- (Rs.Fifty Thousand only) each on following condition:

- a. The applicants shall not tamper with prosecution evidence in any manner.
 - b. The applicants shall attend each and every effective date before the Trial Court.
 - c. The applicants shall not indulge in criminal activity.
- (iii) Applications are disposed of.

(S. G. CHAPALGAONKAR)
JUDGE