



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

44 BAIL APPLICATION NO. 445 OF 2026

IMRAN ALIAS PANSHA SULEMAN SHAIKH
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Wakale Vijay Shivaji.
APP for Respondent/s-State : Mr. N. R. Dayma.

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CORAM : SHAILESH P. BRAHME, J.
DATE : 09.04.2026

PER COURT :-

1. Heard both sides.
2. The applicant is seeking enlargement on bail in respect of offence bearing Crime No.323 of 2025, registered with CIDCO Police Station, District Chh. Sambhajinagar, for the offences punishable under Sections 103(1), 115(2), 118(2), 126(2), 3(5) of Bhartiya Nyaya Sanhita.
3. It is reported by the brother of the deceased to the police that deceased Sayyed Sattar Sayyed Noor was rickshaw driver and he was assaulted by the applicant and the accused on 09.06.2025 at 9.30 at Misarwadi. It reveals from CCTV footage that applicant inflicted blows on the deceased by wooden

plank. Applicant was arrested on 14.06.2025. The charge-sheet is filed on 10.09.2025.

4. Learned counsel for the applicant submits that the transcript panchnama of CCTV footage is a weak piece of evidence. There was no motive or *mesne rea*. The co-accused was released on bail. No antecedents are recorded against the applicant.

5. Learned APP submits that the clinching material is collected to show involvement of the applicant. He is the main perpetrator who assaulted the deceased on multiple times on various parts of the body. As many as 27 injuries are noticed on the body of the deceased. The intention is to commit murder. The weapon used has also been recovered. The oral dying declaration made before Mazhar corroborates the prosecution case.

6. The case is founded on the circumstantial evidence. The CCTV footage is collected from camera installed at the house of one of the residents. The transcription shows that there was altercation between the accused and the victim. The assault was made by wooden plank by the applicant. Post mortem report shows multiple injuries in column No.17 as well as

column No.19. The statement of Mazhar would show the disclosure of the perpetrator by the deceased.

7. The transcription panchnama reveals that applicant was present and he inflicted blows by the wooden plank. There is no material on record to show that there was any motive for the applicant to commit murder. He was not armed with weapons at the relevant time. The wooden plank used for assaulting the deceased was picked up from the spot. The altercations between the parties might have aggravated the situation and prompted accused to give multiple blows.

8. The probative value of the transcription panchnama needs to be tested during the course of trial. The test identification parade has not been conducted. The recovery of the weapon at the instance of the applicant cannot be said to be *per se* incriminating. No antecedents are reported against him. He is entitled to be released on bail. I, therefore, pass the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant **IMRAN ALIAS PANSHA SULEMAN SHAIKH** shall be released on bail in Crime No.323 of 2025, registered with CIDCO Police Station,

District Chh. Sambhajinagar, for the offences punishable under Sections 103(1), 115(2), 118(2), 126(2), 3(5) of Bhartiya Nyaya Sanhita on furnishing P. R. bond of Rs.50,000/- (Rupees fifty thousands only) with one solvent surety of like amount on the following conditions :

- (a) The applicant shall stay away from Taluka and District Chh. Sambhajinagar till conclusion of the trial.
- (b) The applicant shall attend each and every date of the trial.
- (c) The applicant shall report his whereabouts and contact number to the Investigating Officer.
- (d) The applicant shall not contact prosecution witnesses and tamper the prosecution evidence.
- (e) The applicant shall co-operate for expeditious disposal of the trial.
- (f) The applicant shall surrender his Aadhar Card and PAN Card.

(iii) Bail application is disposed of accordingly.

(SHAILESH P. BRAHME, J.)

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vmk/-