



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

62 BAIL APPLICATION NO. 624 OF 2026

SHAIKH TORAKH ALIAS MOHAMMAD SHAIKH TAWAKKAL
VERSUS
THE STATE OF MAHARASHTRA

WITH BAIL APPLICATION NO. 629 OF 2026
MAHEBOOB SHAIKH MAKBOOK SHAIKH AND ANOTHER
VERSUS
The STATE OF MAHARASHTRA

Advocate for Applicant : Mr. S. S. Rathi
APP for Respondent/s-State : Mr. C. V. Bhadane

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CORAM : SHAILESH P. BRAHME, J.
DATE : 04.05.2026

PER COURT :-

1. Heard both sides.
2. The applicants are seeking enlargement on bail in connection with Crime No. 262 of 2025, registered with Bori Police Station, District Parbhani, for the offences punishable under Sections 103(1), 296, 115(2), 118(1), 118(2), 333, 189(2), 191(2), 190, 125(b), 109 of Bhartiya Nyaya Sanhita, 2023.
3. Applicants are relying upon order dated 30.03.2026 passed by this Court enlarging Shaikh Arbaz S/o Shaikh Chand Pasha, Shaikh Ashfak S/o Shaikh Chand Pasha on bail. It is submitted that Sessions Court also granted bail to couple of

accused. No specific overt act is attributed to the applicants. Applicant No. 2 Shaikh Sajid Shaikh Sartak @ Tajmiyan in Bail Application No. 624 of 2026 is alleged to have assaulted witness Narayan, but the injury of fracture is located on shoulder. No specific mens rea can be made out on the basis of papers of investigation.

4. Per contra, learned APP submits that incriminating material is collected against all four applicants. Applicant No. 2 assaulted Narayan by iron rod on head. Medico legal certificate would corroborate the assault. The offence is serious. The role attributed to them is different than the persons who are enlarged on them.

5. I have gone through order passed by this Court on 30.03.2026 enlarging two persons on bail for same offence. I find that the allegations against applicant No. 1 Shaikh Torakh @ Mohammad Shaikh Tawakkal in Bail Application No. 624 of 2026 and both the applicants in Bail Application No. 629 of 2026 are at par with the persons who are enlarged on bail. I propose to adopt the same reasons to grant them relief.

6. I have gone through the statement of Narayan Mutkule, who states that he was being assaulted by iron rod on his head.

I Have gone through the Medico Legal Certificate, which exhibits fracture injury on the right side of the shoulder. The specific overt act against the applicants is not referred in the First Information Report. The witness Narayan was hospitalized for about 8 days. Thereafter, he was discharged. Considering the nature of the injury. I find that all the applicants are entitled to be granted bail. I therefore, pass following order :

ORDER

- (i) Both Bail Applications are allowed.
- (ii) Applicants namely Shaikh Torakh @ Mohammad Shaikh Tawakkal, Shaikh Sajid Shaikh Sartaj @ Tajmiyan in Bail Application No. 624 of 2026 and applicants namely Maheboob Shaikh Makbool Shaikh and Shaikh Makbool Shaikh Maheboob in Bail Application No. 629 of 2026 shall be released on bail in connection with Crime No. 262 of 2025, registered with Bori Police Station, Taluka Jintur, District Parbhani, for the offences punishable under Sections 103(1), 296, 115(2), 118(1), 118(2), 333, 189(2), 191(2), 190, 125(b), 109 of

Bhartiya Nyaya Sanhita, 2023 on following conditions :

- (a) The applicants shall furnish P.R. bonds of Rs. 25,000 /- (Rupees Twenty Five Thousands only) each with one solvent surety each of the like amount
- (a) The applicants shall not tamper with prosecution evidence or contact with the prosecution witnesses.
- (c) The applicants shall furnish their mobile/cell number and address to the investigating officer.
- (d) The applicants shall surrender their Adhar and PAN Cards.

(iii) Both Bail Applications are disposed of accordingly.

(SHAILESH P. BRAHME, J.)

B. S. Joshi