Shubhada S Kadam

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 2091 OF 2025

Shahid Sikandar Shaikh ….Applicant
versus
The State of Maharashtra ….Respondent

with

BAIL APPLICATION NO. 5033 OF 2024

Saifuddin Abutaleb Shaikh ….Applicant
versus
The State of Maharashtra ….Respondent

Mr. Vaibhav Chandanshiv, Advocate for Applicant in BA/2091/2025.
Mr. Satyavrat Joshi i/b. Mr. Yash G. Fadtare, Advocate for Applicant in BA/5033/2024.
Ms. Ranjana D. Humane, APP for Respondent-State.

CORAM : SHIVKUMAR DIGE, J.
DATE : 3rd FEBRUARY, 2026.

P.C. :

1. These two applications are arising out of the same crime, and I am deciding these applications by a common order.

2. By these applications, the applicants are seeking regular bail in C.R.No. 651 of 2023 registered with Wakad Police Station, Pune for the offences punishable under Sections 307, 353, 395, 398, 458, 511 of Indian Penal Code, 1860, Sections 4(25) of the Arms Act and Section 37(1)(3) read with 135 of the Mahrashtra Police Act.

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3. It is prosecution's case that on 08.07.2023, some unknown persons tried to rob the bank by breaking open the door of the said bank. When first informant and police personnel tried to prevent them, they assaulted them with sharp weapon with an intention to kill them and thereafter ran away. It is alleged that applicants were one of those eight persons, who tried to rob the bank.

4 It is contention of learned counsel for the applicants that the applicants are behind bars for more than 2 ½ years. There is no progress in the trial. The co-accused, against who similar allegations are made, has been released on bail by this Court. Hence, the applicants are entitled to bail on the principle of parity and requested to allow the applications.

5. It is contention of learned APP that the applicants have two antecedents. They attempted to rob the bank. When police personnel prevented them, the applicants and co-accused tried to assault the police personnel with an intention to kill them. If applicants are released on bail, they may abscond and requested to reject the application.

6. I have heard all learned counsel. Perused charge-sheet and documents produced on record. The applicants are behind bars for more than 2 ½ years. There is no progress in the trial. The co-accused, against who similar allegations are made, has been released on bail by this Court. Hence, the applicants are entitled to bail on the principle of parity and I

pass following order:

ORDER

(i) The applicants viz. Shahid Sikandar Shaikh and Saifuddin Abutaleb Shaikh are released on bail in C.R.No. 651 of 2023 registered with Wakad Police Station, Pune, on executing P.R.Bond of Rs.30,000/- each, on furnishing one or two sureties in the like amount.

(ii) The applicants shall attend the concerned police station as and when required.

(iii) The applicants shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

The applications are allowed in the aforesaid terms and are accordingly disposed of.

7. It is made clear that the above observations are made only for the purpose of granting bail and the Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the observations made in this order.

8. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)