

MHBI010010352020



**Sessions Case No.59/2020**

**The State of Maharashtra  
Vs.**

**Shaikh Amar Shaikh Akbar & Ors.**

**Crime No.219/2019  
Police Station Beed Rural,  
Tq. & Dist. Beed.**

**ORDER BELOW EXH.24**

This is the application for regular bail by original accused No.2) Sayyed Shahrukh Sayyed Noor, 3) Anwarkhan @ Gujarkhan s/o. Mirzakhan and 4) Sayyed Naser Sayyed Noor as per the provisions of Section 483 of B.N.S.S. who are in jail in Crime No.219/2019 (Sessions Case No.59/2020) registered with police station Beed Rural, Tq.& Dist.Beed for the offences punishable under Section 397, 386, 307, 506 of the Indian Penal Code along with Section 4/25 of Indian Arms Act on the basis of F.I.R. given by informant- Momin Akbar s/o. Momin Babamiyan.

02. It is the case of the prosecution as per F.I.R. that, informant is running shop at Talegaon Shivar by name Muskan Bottle Scrap Traders. On 02.08.2019 at about 11.00 a.m. Shaikh Anwar Shaikh Ali who was the labour in the shop of the informant and merchant Shaikh Jafar were present in the said shop. At that time all the accused put sickle on their throat, threatened them and assaulted informant with fists and kick blows and committed dacoity of Rs.1,75,000/- cash and tried to kill informant by blow of knife. Accused Shaikh Shahrukh assaulted informant with handle of sickle on the head and other accused assaulted informant with iron pipe. Thereafter, all the accused threatened the informant to pay ransom amount Rs.1 Crore within 8 days otherwise they will kill informant and his entire family. Accordingly, F.I.R. is given.

03. After investigation, police arrested the accused and they are in jail in the present matter.

04. By way of this application accused seeks regular bail on the grounds that, they are falsely implicated in the matter. According to them, they are in jail since long but nothing is seized from the possession of the accused. According to them, accused are convicted by Special MCOCA Court in Special (MCOCA) Case No.51/2020 on 13.12.2024 and applicants wants to file application for parole before jail authority but due to pendency of this matter they could not file the said application. According to them, though accused are in jail since 2019 charge is not yet framed. Therefore, they prayed to grant regular bail.

05. Present application is strongly opposed by learned A.P.P. by filing say at Exh.28.

06. Heard both sides at length.

07. The offence is serious in nature. Accused are habitual offenders and dangerous persons who are already convicted by MCOCA Special Court in Special ( MCOCA) Case No.51/2020 on 13.12.2024. Accused by hook and crook wants to come out of jail and wants to use the order of the bail in this matter to get parole in another matter. Record shows that, as MCOCA matter bearing Special Case No.51/2020 was pending against the accused before Special Court, as per Section 10 of the said Act, the present matter was not proceeded and therefore, charge could not be framed. Therefore, accused cannot say that, charge is not yet framed and they are entitled for bail. The offence is serious in nature. If accused are released on bail they will abscond forever and will create life threat to the informant and others.

Therefore, as grounds mentioned in bail application are not appropriate, accused are not entitled to be release on bail. Therefore, following order.

**ORDER**

- 1]     The bail application Exh.24 is rejected.
- 2]     Inform the concern police station accordingly.
- 3]     Inform the accused through Superintendent of Jail Authority Harsool Jail, Sambhajinagar by sending soft copy of this order.
- 4]     Application is disposed off.

(Dictated and pronounced in open Court).

Place: Beed,  
Date : 28/03/2025

( K.R.Joglekar)  
Addl. Sessions Judge  
Beed.

**CERTIFICATE**

I affirm that the contents of this PDF file are word to word as per original judgment/order.

Dictated on : 28/03/2025  
Transcribed on : 28/03/2025  
Checked & signed on : 28/03/2025

( A. R. Patil )  
Stenographer Grade-2  
Additional Sessions Court,  
Beed.