



CNR: MHLA010005462023

ORDER BELOW EXT. 86 IN S.C. NO. 16/2023

1. The applicant/accused No.4 **Sahil Maheboob Sayyed** has presented this application for grant of bail materially on the grounds that the applicant was earlier released on bail. However, as he remained absent to attend the Court, hence NBW was issued against him. On 22.10.2024 the applicant appeared before the Court on his own praying for setting aside the NBW order. However, the predecessor of this Court took the applicant in custody and remanded him to the prison. The applicant is the only earning member of his family wherein the marriage of his sister will shortly be performed. The applicant will not remain absent henceforth in the present case. He will co-operate into the trial. Therefore, the applicant may be released on bail.

2. The I.O. and A.P.P. have presented their common reply vide ext. 91 materially on the grounds that earlier the crime was registered for the offence punishable U/s. 302 of I.P.C. which lateraon was converted into S. 396 of I.P.C. The present applicant was involved in committing serious crime coupled with severe punishment. He will pressurize the prosecution witnesses. Therefore, the application may be rejected.

3. I have heard arguments of Adv. Mr. P.V. Kamble for the applicant and Ld. PP. Mr. S.V. Deshpande for the State. They have

reiterated the aforementioned respective cases. Thus, after perusing the record, the points arise for determination are answered for the reasons as under:

POINTS		FINDINGS	
1)	Whether the applicant is entitled for grant of bail under Section 439 of Cr.P.C. ?	...	Yes.
2)	What is order ?	...	As per final order.

R E A S O N S

AS TO POINT NO. 1 :

4. The record reveals that the applicant was earlier released on bail but due to his absence later on my Ld. predecessor issued NBW against him for compelling his attendance. The applicant on his own appeared before the Court for praying to set aside said order but my Ld. predecessor took the applicant in custody and remanded into prison. The applicant submits in the present application that he was at out-station for earning livelihood for his depending family members as recently the marriage of his sister is also to be performed. He has therefore prayed for grant of bail as he will henceforth attend the Court dates regularly. It is also evident that the applicant is in judicial custody for last 10 months. The prosecution has examined one witness while today the step is taken for issuing next witness summons. In this situation, I do not find necessity to detain the present applicant in custody when he undertakes to attend the fixed Court dates regularly. He has also assured to proceed with the trial as expeditiously as possible.

Therefore, the applicant on these grounds also is entitled for grant of bail.

5. The crime alleged against applicant is serious and coupled with severe punishment. The applicant in this situation shall be attentive before the Court henceforth. The two co-accused persons out of five accused are still in custody. Therefore, trial of present case is expedited. In this situation any default of present applicant will be seen seriously. As the applicant has brought on record sufficient grounds for granting him relief of bail, hence present application needs to be allowed. Accordingly I answer point no.1 in the affirmative.

AS TO POINT NO. 2 :

6. The applicant has succeeded to prove the present application. Hence, I pass the following order:

ORDER

- 1) The application Ext. 86 is allowed.
- 2) The applicant/accused No.4 **Sahil Maheboob Sayyed** be released on bail on executing the PR bond of Rs.30,000/- (Rs. Thirty Thousand only) with surety of like amount each in Crime No. 426/2022 registered at Gandhi Chowk Police Station, Latur for the offence punishable under Section 396 of I.P.C.
- 3) The applicant shall not tamper with the prosecution witnesses in any manner.
- 4) The applicant shall not participate in any similar crime again.

- 5) The applicant shall submit a list of atleast three blood relatives with respective mobile phone numbers and detailed residential addresses and also addresses of their place of work, as per Criminal Manual Chapter-I, Para 12(1).
- 6) The applicant shall attend the Court dates regularly and participate to conduct the proceeding of the case promptly on each and every stage.
- 7) Breach of any of these conditions will be the ground for cancellation of bail.
- 8) Inform the order to the Superintendent of Central Prison Latur for further action.

(R.R. Bhosale)

Date : 18.10.2025.

Additional Sessions Judge-1,
Latur.

"CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT/ORDER".

(H. R. Shinde)

Stenographer (Grade-1)

NAME OF STENOGRAPHER

Name of the Judge(With Court Room No.) :

Shri R. R. Bhosale, Additional Sessions Judge-1, Latur.

Date for pronouncement of Judgment/Order:

18.10.2025

Judgment/Order signed by P.O. on:

18.10.2025