



CNR: MHLA010007372026

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE-1, LATUR**  
(Presided over by: Mr. Rahul R. Bhosale)

**Cri.(Bail) Appln.No. 122/2026**

**Arbaj s/o Afjal Shaikh**

**.. Applicant**

**Versus**

The State of Maharashtra,  
Through: P.I. Police Station  
Vivekanand Chowk police station, Latur.

**.. Respondent**

**Ld. Advocates**

**Mr. A.K. Shaikh for Applicant.**  
**Mr. L.N. Shinde, A.P.P for Respondent.**

**ORDER BELOW EXHIBIT NO. 1**

1. The applicant has presented this application for grant of bail under Section 483 of the B.N.S.S. in Crime No. 823/2025 police station Vivekanand Chowk, Latur of the offence punishable under Ss. 109, 115(2), 352 r/w.3(5) of BNS, 2023.

2. **Brief facts of the prosecution are as under:**

The informant resides with his brother- Amol and his family. On 13.12.2025 Amol had dispute with 3-4 unknown persons in front of Biryani hotel at Annabhau Sathe square. Thereafter the applicant alongwith co-accused persons came to the house of informant on 31.12.2025. They hurled abuses while they also beat with fist blows and kicks to the informant and Amol. Accused Arbaj stabbed into his

abdomen with knife while accused Irfan struck his head with stick. The accused also had beaten the informant when he tried to save Amol. Now the medical treatment of Amol is in progress. The informant lastly filed FIR to the Vivekanand Chowk police station, Latur.

3. In aforementioned backdrop, the applicant has prayed for grant of bail materially on the grounds that he was arrested on 01.01.2026 and now he is in a judicial custody. The investigating officer conducted thorough investigation by filing a final charge-sheet at RCC no. 225/2026 before the Ld. Committing court. Already 3 bail applications vide bail application nos. 16/2026, 42/2026 and 47/2026 filed by 3 co-accused persons respectively were decided and they were released on bail. Present applicant is entitled to apply principle of parity to his bail application also. In-fact the present applicant and his brothers are the victims of the crime committed by the informant and his associates. The applicant sustained grievous injuries comparing to the injuries of present victims. The group fight was occurred wherein the fighting parties filed FIR against each other. Therefore, the applicant is not found in commission of any serious crime. His application may be allowed.

4. The I.O. and APP have replied at ext. 5 by re-iterating the aforesaid prosecution case. They additionally submit that applicant being a main culprit of crime will pressurize the prosecution witnesses, repeated the crime and flee away if gets bail. Still the investigation is not completed, hence present application needs to be rejected.

5. I have heard arguments of Adv. Mr. A.K. Shaikh for the applicant and Ld. A.PP. Mr. L.N. Shinde 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 483 of BNSS ?	
2)	What is order ?	

## REASONS

### POINT NO. 1 :

6. The record reveals that co-accused Mizan, Irfan, Akshay were already released on bail in their respective bail petition nos. 16/2026, 42/2026 and 47/2026. Allegedly all those co-accused persons accompanied present applicant while committing the present crime. The role attributed to those co-accused persons are different than the role of present applicant as he is allegedly the main culprit of the crime who stabbed the informant and prosecution witnesses with knife. Therefore apparently the principle of parity is made applicable to the present applications basing on those previous bail orders.

7. But the investigation is admittedly completed by all means now wherein the charge-sheet is filed before Committing Court. Though the investigating agency tries to resist the present application with a submission that part of investigation is yet to be completed, but exactly what sort of investigation pertaining to present applicant has to be conducted, is not clarified. Thus, the investigation by all means is now completed. Present applicant was behind bar for around 2½

months. The present situation does not require his further detention that too for indefinite period. The objection of APP and I.O. can be taken into consideration by imposing stringent bail conditions. Accordingly I answer point no.1 in the affirmative.

**POINT NO. 2 :**

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

**ORDER**

- 1) The application is allowed.
- 2) The applicant- **Arbaj s/o Afjal Shaikh** be released on bail on executing each the PR bond of Rs.30,000/- (Rs. Thirty Thousand only) with surety of like amount in Crime No. 823/2025 police station Vivekanand Chowk, Latur of the offence punishable under Ss. 109, 115(2), 352 r/w.3(5) of BNS, 2023.
- 3) The applicant shall not enter into the vicinity of the residence of injured prosecution witnesses till further order and shall not involve in any crime further, particularly, pertaining to present informant and prosecution witnesses.
- 4) The applicant shall not tamper the prosecution witnesses in any manner and shall cooperate the investigating officer in the investigation.
- 5) The applicant shall attend the concerned investigating officer as and when he called for furthering investigation.
- 6) The applicant shall submit a list of at least 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).
- 7) The applicants shall attend the Court dates regularly and participate to conduct the proceeding of the case promptly

on each and every stage.

- 8) Breach of any of these conditions will be the ground for cancellations of bail.

Date : 18.03.2026.

**( R.R. Bhosale )**  
Additional Sessions Judge-1,  
Latur.

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"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, Latur.

Date for pronouncement of Judgment/Order:

18.08.2023

Judgment/Order signed by P.O. on:

20.03.2026