

MHND050003672026



Cri. Bail Appln.

(ABA)No.74/2026

Mirza Shakil Baig Vs. State

(Biloli police station)

ORDER BELOW EXH-01

(Date : 23-06-2026)

The applicant Mirza Shakil Baig S/o Mirza Jamil Baig is seeking pre-arrest bail U/Sec.438 of the Criminal Procedure Code (Cr.P.C.), in connection with Crime No.40/2025, registered in Biloli Police Station U/Secs. 406, 420, 467, 471, 120-B r/w. 34 of Indian Penal Code (in short IPC).

02. The applicant Mirza Shakil Baig is one of the Mutawali/Care Taker, to whom Wakf property, Survey No.571 and 580 of Biloli has been entrusted by the Wakf Board. The complainant came with the allegations that without the prior permission of Board, construction of shops have been made and those shops have been given by the applicant and others on rent and income thereof has been utilized for their personal needs and requirements.

03. It is pointed out by the Learned Advocate for the applicant that the other Mutawali/Care Takers had moved to Hon'ble Bombay High Court, (Aurangabad Bench), Vide ABA No.426/2025, 428/2025, 462/2025 and 586/2025 and their applications have been allowed by the order of Hon'ble High Court dated 08.04.2025, observing that in absence of any independent income to maintain Majid and Dargah, the amount

received from the occupants of shops have been utilized for maintaining the Dargah and Masjid. The Hon'ble High Court also considered the fact that audit reports have been submitted on behalf of other applicants. The case of present applicant is similar to the case of other applicants who secured pre-arrest bail from Hon'ble High court. The observations made by Hon'ble High Court in order dated 08-04-2025 are binding and there is no reason to deviate from the view taken by Hon'ble High Court. The said observations are followed and following order is passed.

ORDER

01. The Cri. Bail Appln. (ABA) No.74/2026 is allowed.
02. In the event of arrest of the applicant Mirza Shakil Baig S/o Mirza Jamil Baig in connection with Crime No.40/2025, registered with Biloli Police Station U/Secs. 406, 420, 467, 471, 120-B r/w. 34 of Indian Penal Code, he be released on bail on furnishing PR bond in a sum of Rs. 50,000/- with one solvent surety of like amount, on following conditions :-
 - (i) He shall attend Police Station Biloli as and when required by the I.O. and shall co-operate in investigation.
 - (ii) He shall not repeat crime.
 - (iii) He shall not threaten, pressurise the first informant and material witnesses in any manner.
 - (iv) He shall attend the trial regularly.

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(v) He shall furnish Mobile number and address proof of himself and his two close relatives along with original documents for inspection by the I.O.

03. Accordingly criminal Bail application (ABA) No. 74/2026 is disposed off.

Date :- 01-07-2026.

(H.S.Satbhai)
Addl. Sessions Judge-1,
Biloli.

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Ord. below Exh.-01.

C E R T I F I C A T E

I affirm that the contents of this P.D.F. file Judgment are same word to word, as per the original Judgment.

Name of the Stenographer : Onkare A. M.
Stenographer Grade-I

Court Name : Court of DJ-1 & ASJ, Biloli

Date : 01-07-2026

Judgment signed by the Presiding Officer on : 01-07-2026

Judgment/Order uploaded on : 01-07-2026