

MHPU140014962024

SESSIONS CASE NO. 80/2024



**State of Maharashtra
Vs.
Sarfaraj @ Shafik Yusuf Shaikh**

ORDER BELOW EXHS.40 AND 42

Accused-Sarfaraj @ Shafik Yusuf Shaikh by filing application on 05.06.2026, requested for grant of temporary bail on humanitarian grounds on account of his father-Yusuf having suffered an accidental injury and admitted to Pyramid Hospital, Daund. On that ground, he had prayed temporary bail for a limited period for providing necessary assistance to his family members. Today, the accused has filed *pursis* (Exh.42), contending that on 06.06.2026, his father has expired while undergoing medical treatment. His presence is necessary for attending funeral rites and religious ceremonies. Hence, he prayed for grant of temporary bail.

2] Ld. APP opposed the application and release of the accused on the ground that offence against accused is serious. Bail application filed by accused was rejected by this Court as well as Hon'ble High Court. He submitted to reject the application.

3] Heard Ld. Advocate for accused and Ld.APP for the State. Perused the record of the case and documents filed by accused.

4] As per the application dated 05.06.2026, bail was sought on the ground of head injuries suffered by the father of accused. However, by *pursis* (Exh.42) alongwith affidavit of brother of accused, it is submitted that father of accused died on 06.06.2026. Ld. Advocate submitted that the funeral of the deceased is already over and now the 3rd day and 10th day rites are

to be performed for which the accused may be released on temporary bail. He submitted that accused will abide by all the conditions.

5] Perusal of record of the case would show that offence under Section 302 of IPC was committed by the accused. The bail application moved by accused earlier came to be rejected and he is Under Trial Prisoner. As yet, evidence of three witnesses has been recorded. Still the material witnesses are to be examined. Therefore, looking to the nature of offence and the fact that evidence in the matter is going on, the accused shall not be released on temporary bail as sought. However, he may be permitted to attend the 10th day rites of his father, in view of the cause so stated, as deceased-father died on 06.06.2026. The Ld. Advocate present alongwith brother of accused submitted that accused is not in a position to pay any charges due to poor financial condition, and the 10th day falls on 14th June, 2026. Hence, the following order:

ORDER

1. Jailor/Authority of Yerwada Central Prison to provide necessary police escort through Daund Police Station to accused- Sarfaraj @ Shafik Yusuf Shaikh for attending 10th day ceremony of his deceased-father at Daund, Dist. Pune, in Sessions Case No. 80/2024 (Crime No.1104/2023 of Daund Police Station), on date 14.06.2026, by handing over his custody from the Jail to the escort team personnel from Daund Police Station.
2. The Jail Authority at Yerwada Central Prison to handover custody of the above accused to the police escort team from Daund Police Station on 14.06.2026 at 5.00 a.m., who shall be redeposited in the prison on or before 7.00 p.m. on the same day.
3. After completion of 10th day ceremony at Daund, the accused shall be immediately redeposited by the escorting officers at

Yerwada Central Prison, as directed in Clause No.4 of the order.

4. Inform Daund Police Station and the Superintendent of Yerwada Central Prison, accordingly.

Date :- 08.06.2026

(V. C. Barde)
Additional Sessions Judge,
Baramati.

CERTIFICATE

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

Name of Stenographer : V. B. Lalsangi
Stenographer (G-1)

Court Name : Additional Sessions Judge,
Baramati, Dist. Pune.

Date of Order : 08.06.2026

Order signed by
Presiding Officer : 08.06.2026

Order uploaded on : 08.06.2026