

ORDER BELOW EXH. 74 CRIMINAL BAIL  
APPLICATION IN SESSIONS CASE NO.290/2015  
\_CNR No. MHTH01-004572/2015

This is an application for regular bail by accused Salman Munna Shaikh in respect of Crime No.I-362/2015 registered with Mumbra Police Station for the offence punishable under section 307, 143, 144, 147, 148, 149 of the Indian Penal Code, under sec. 37(1) (3), 135 of Maharashtra Police Act.

2] Perused application, say filed by prosecution and record of the case. Heard learned Advocate Shri. Mohd. Zia Shaikh for the accused and learned A.P.P. Shri. V.M.Mundhe.

3] F.I.R. dated 2/4/2015 is filed by Mohd. Abdul Hayee Sardar. It is alleged that on 1/4/2015 at about 10:30 p.m. present accused and co-accused were members of unlawrul assembly. They attempted to kill informant and his friend Aslam Shaikh by means of chopper.

4] According to the learned Advocate for the accused he is behind bars since more than 8 years. Co-accused have been granted bail. Charge is yet to be framed. Evidence is yet to be recorded, therefore, prayed for bail.

5] The prosecution has opposed the application. According to learned A.P.P. there is strong evidence against the accused. He

has criminal antecedents, thus prayed for rejection of bail.

6] I have considered rival submissions. It seems that in F.I.R. there are specific allegations against accused Mohsin Rafiq Shaikh @ Mohsin Cheera of stabbing Aslam Shaikh. One Rizwan Ajgarali Devjani and present accused assaulted by means of sword and chopper. It may be noted that all other accused have been granted bail. Present accused was arrested on 12/4/2015. He is behind bars since more than 8 years. All other co-accused who have played similar role to that of present accused, have been granted bail. In such circumstances, the accused is entitled to be released on bail. Hence, the following order:

**:: ORDER ::**

- 1] Applicant Salman Munna Shaikh be released on bail on his executing P.R. bond of Rs.50,000/- (Rs. Fifty Thousand only) with surety of the like amount, in C.R. No.I-362/2015 registered with Mumbra Police Station for the offence punishable under section 307, 143, 144, 147, 148, 149 of the Indian Penal Code, under sec. 37(1) (3), 135 of Maharashtra Police Act, on following conditions.
  - a) he shall not pressurize the prosecution witnesses.
  - b) he shall not leave India without prior permission of the Court.
  - c) he shall attend the Court promptly.
  - d) he shall produce address proof and mobile number of himself as well as of his two blood relatives alongwith the names of police

stations in whose jurisdiction they are residing.

Date - 17/04/2023  
Thane.

(A.N.Sirsikar)  
Additional Sessions Judge-2, Thane.

:: CERTIFICATE ::

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

Name of the affirming Steno : Mrs. V.V.Mehendale steno Grade-1  
Date of Dictation : 17/04/2023  
Date of Transcription : 19/04/2023  
Checked and Signed by : 19/04/2023  
the Presiding officer on.  
Uploaded on : 19/04/2023