

Imran Kureshi @ Ghoshwala accosted Samir Rafiq Shaikh, brother of applicants 1 & 2 started abusing pushing and beating him , as he did not satisfy extortion amount. Hence, he lodged FIR bearing C.R.No. 58/2022 u/s.307,143,147,148,149, 504, 506 of IPC against them.

6. Applicant/accused 5 is a labour. At present, he is in judicial custody. Nothing has been recovered at his instance. Three of the accused namely (1)Moinoddin Rafiq Shaikh,(2)Aasif AbdulRafiq Shaikh & (3) Shahjoddin Safhit Shaikh have been released on anticipatory bail by this court, by order dated 11.03.2022 in Cri. Bail Application No. 318/2022. He is permanent resident of Nashik. In the circumstances, custodial interrogation is not all required for the purpose of investigation on the above grounds. Though,learned A.P.P. contends that, applicant/accused 5 has got criminal antecedents, he may commit similar offences in the future, may create law and order problem and abscond but that cannot be considered as satisfactory grounds to deny bail. No purpose would be served by keeping the applicant/accused 5 behind the bar for indefinite period and attendance may suffice the purpose. In the result, I pass the following order.

ORDER

1. This application stands allowed.
2. The applicant/accused 5 Sultan Babu Shaikh, shall be released on bail on executing personal bond of Rs.15,000/-, with one surety in the like amount.
3. Applicant/accused 5 shall not leave India without prior permission of the Court.
4. Applicant/accused 5 shall not tamper with the prosecution witnesses.
5. He shall attend the police station for one week from the date of his release between 11 a.m. to 01 p.m. or as and when called by I.O. under prior written intimation.

Date : 21.03. 2022.

(S.T. Tripathi)
Additional Sessions Judge-7,
Nashik.