

# Shaikh Gaffar Shaikh Makdum And Another vs The State Of Maharashtra on 11 January, 2022

**Author: Vibha Kankanwadi**

**Bench: Vibha Kankanwadi**

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

909 ANTICIPATORY BAIL APPLICATION NO.1465 OF 2021

SHAIKH GAFFAR S/O SHAIKH MAKDUM AND ANOTHER  
VERSUS  
THE STATE OF MAHARASHTRA

...  
Mr. S.G. Chapalgaonkar, Advocate for applicants  
Mr. A.M. Phule, APP for the respondent  
...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 11th JANUARY, 2022.

PER COURT :

1 Heard learned Advocate appearing for the applicants. Though

the learned APP is strongly opposing the application, the remand report dated 05.11.2021 reveals that on the statement of co-accused it is stated that names of these applicants are revealed, however, the said report is silent about exact role of the applicants alleged by the prosecution. Under such circumstance, till the papers are perused the applicants deserve to be protected.

2 Issue notice to respondent, returnable on 25.01.2022. Learned 2 ABA\_1465\_2021 APP waives notice for the respondent.

3 In the meantime, in the event of arrest of the applicants viz. Shaikh Gaffar s/o Shaikh Makdum and Ferozkhan s/o Wahabkhan Pathan, in connection with Crime No.430 of 2021 dated 03.11.2021, registered with Gangakhed Police Station, Dist. Parbhani, for the offence punishable under Section 188, 328, 272, 273 of the Indian Penal Code, 1860 and under Section 59 of the Food, Safety and Standards Act, 2006, they be released on P.R. of Rs.30,000/- (Rupees Thirty Thousand only) with

two solvent sureties of Rs.15,000/- (Rupees Fifteen Thousand only) each. 4 Applicants shall cooperate with the investigation and shall attend Police Station, Gangakhed on every Monday and Thursday between 10.00 a.m. to 02.00 p.m., till further orders.

5 Applicants shall not tamper with the evidence of the prosecution.

( Smt. Vibha Kankanwadi, J. ) agd