

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

926 BAIL APPLICATION NO.1089 OF 2020

1. SACHIN BANSILAL PATIL
2. RAOSAHEB KAUTIK PATIL
3. SANDIP SAHEBRAO PATIL

VERSUS

THE STATE OF MAHARASHTRA

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Advocate for Applicants : Mr. Chatterji Joydeep

APP for Respondent : Mr. A. S. Shinde

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CORAM : V.K. JADHAV, J.

Dated : October 07, 2020

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PER COURT :-

1. The applicants are seeking bail in connection with crime No. 72 of 2020 registered with Shindkheda police station, District Dhule for the offences punishable under Sections 353, 395, 379, 332, 341, 143, 147, 145, 323, 504, 506, 188, 269, 270 of IPC and Sections K-2, 3 & 4 of the Epidemic Disease Act with Section K-11 of the Prevention of Pandemic Act Covid-19 and Sections 37(1) (c) r/w 135 of the Bombay Police Act and Section 7 of the Criminal Law Amendment Act r/w Section 48 of the Maharashtra Land Revenue Code. Their application bearing Criminal Bail Application No. 813 of 2020 with

similar prayer came to be rejected by the learned Additional Sessions Judge-3, Dhule vide order dated 18.09.2020.

2. Learned counsel for the applicants submits that names of the applicants are not mentioned in the FIR, nor their involvement in commission of the crime has been revealed during the course of investigation. Learned counsel submits that all the applicants are driver by occupation. There are no antecedents. Learned counsel submits that allegations have been made mainly against co-accused Kishor Mahadu Patil and Sharad Mahadu Patil. The applicants may be released on bail.

3. Learned A.P.P. has strongly resisted the application on the ground that though names of the applicants are not mentioned in the FIR, however, during the course of the same incident, three tractors loaded with minor minerals came to be unloaded in the hotel premises with the help of these applicants and

some other persons. Investigation is in progress. Application may be rejected.

4. On going through the allegations made in the complaint and on perusal of the investigation papers, it appears that names of the applicants are not specifically mentioned in the FIR, nor anything revealed against them during the course of investigation to connect them with the alleged commission of crime. It also appears that allegations have been made mainly against co-accused Kishor and Sharad. There are no antecedents. Thus, considering the entire aspect of the case, I am inclined to release the applicants on bail on certain conditions. Hence the following order :-

O R D E R

- I. Application is hereby allowed.
- II. The applicants 1. SACHIN BANSILAL PATIL, 2. RAOSAHEB KAUTIK PATIL and 3. SANDIP SAHEBRAO PATIL, in connection with crime No. 72 of 2020 registered with Shindkheda police station, District Dhule for the offences punishable under Sections 353, 395, 379, 332, 341, 143, 147,

aaa/-

145, 323, 504, 506, 188, 269, 270 of IPC and Sections K-2, 3 & 4 of the Epidemic Disease Act with Section K-11 of the Prevention of Pandemic Act Covid-19 and Sections 37(1)(c) r/w 135 of the Bombay Police Act and Section 7 of the Criminal Law Amendment Act r/w Section 48 of the Maharashtra Land Revenue Code, be released on bail on furnishing personal bond of Rs.5,000/- (Rs. Five Thousand) each with one surety each of the like amount on following conditions:-

- a) The applicants shall not tamper with the prosecution evidence in any manner.
- b) The applicants shall attend the concerned police station once in a week i.e. on every Sunday between 8.00 a.m. to 11.00 a.m. till filing of the charge sheet.

III. Application is disposed of.

(V.K. JADHAV, J.)

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