

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

BAIL APPLICATION NO.992 OF 2022

Balaji s/o. Tolba Gunthe	..Applicant
Vs.	
The State of Maharashtra	..Respondent

AND

BAIL APPLICATION NO.993 OF 2022

Rajusing s/o. Mayasing Bawri	..Applicant
Vs.	
The State of Maharashtra	..Respondent

Mr.B.N.Gadegaonkar, Advocate for applicant in BA No.992 of 2022
Mr.S.R.Bagal, Advocate for applicant in BA No.993 of 2022
Mr.S.P.Sonpavale, APP for respondent

**CORAM : R.G. AVACHAT, J.
DATE : AUGUST 02, 2022**

ORDER :-

These applications have been filed under Section 439 of the Code of Criminal Procedure. The applicants have been arrested in connection with Crime No.319 of 2022 registered with Taluka Jalna Police Station, Dist. Jalna.

2. Heard learned counsel appearing for the parties.
3. Learned APP would submit that the charge sheet has been filed on 29.07.2022. Applicant – Rajusing has criminal antecedents.

Over 12 serious offences have been registered against him. He, therefore, urged for rejection of the applications.

4. The applicants herein and three others are alleged to have had come together and prepared to commit dacoity. They were found in possession of the articles of house breaking such as, chilly powder, weapon like dagger, wooden log, etc.

5. Both the applicants have been behind the bars since 02.06.2022. Applicant – Balaji has no criminal antecedents. Mr.Bagal, learned counsel for the applicant – Rajusing, submits that although applicant – Rajusing has criminal antecedents, in almost all the cases, he was taken into custody on suspicion. In those cases, name of the applicant – Rajusing was not stated in the concerned FIR. After his long incarceration, he has been acquitted under the offence of M.C.O.C. Act.

6. In view of the above and considering the nature of the offence, the Court is inclined to grant bail to both the applicants. Hence, the following order:-

(i) Both the applications are allowed.

(ii) The applicants be released in connection with Crime No.319 of 2022 registered with Taluka Jalna Police Station, Dist. Jalna, on executing P.R. Bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) each with one surety each in the like amount.

(iii) The applicants shall not tamper with the prosecution evidence in any manner.

(iv) Applicant – Rajusing Mayasing Bawri shall attend Umri Police Station, Dist. Nanded, every alternate day between 11:00 p.m. and 12:00 in the midnight, till conclusion of the trial.

[R.G. AVACHAT, J.]

KBP