

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO.1779 OF 2022

AKASH PRAKASH DHUTADMAL
VERSUS
THE STATE OF MAHARASHTRA

...

WITH
BAIL APPLICATION NO.1608 OF 2022

SHAIKH AKHIL SHAIKH ISMAIL
VERSUS
THE STATE OF MAHARASHTRA

...

Advocate for Applicant in BA/1779/2022 : Mr. A. L. Kanade
Advocate for Applicant in BA/1608/2022 : Mr. R. A. Hange
APP for Respondent/State in both applications : Mr. S. B. Narwade

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CORAM : S. G. MEHARE, J.

DATE : 19-10-2022

PER COURT :-

1. Issue notice to the respondent, returnable forthwith. The learned A.P.P. waives service of notice for the respondent/State.
2. Heard the learned counsel for the applicants and the learned A.P.P. for the respondent/State.
3. The applicants have been roped in the crime for the offence of robbery, dacoity and conspiracy. The applicants were arrested and the alleged robbed amount has been partly recovered from them. They are behind bars since 31.08.2022. They are claiming the bail on the ground that the material investigation is over. There are no antecedents to their discredit. They have been

arrested only on the suspicion. They are ready to abide by the conditions if imposed while enlarging them on bail.

4. The learned A.P.P. has strongly opposed the application mainly on the ground that other co-accused have not been arrested. The applicant Akash is the mastermind behind the dacoity. All the accused have shared the robbed amount. The applicants may flee away from the justice. Therefore, the bail may not be granted them.

5. As discussed above, the serious allegations have been levelled against the applicants. However, after their arrest, part amount has been recovered from them. The material investigation against them is over. The apprehension of the prosecution of absconding or fleeing away from the justice can be guarded by imposing certain conditions. Hence, the following order :-

- i) Bail Application Nos. 1779 and 1608 of 2022 are allowed.
- ii) Applicants Aakash Prakash Dhutadmal and Shaikh Akhil Shaikh Ismail, be released on bail, on furnishing PB and SB of Rs.25,000/- each, with one solvent surety of the like amount, in C.R.No.0426 of 2022 registered with Georai Police Station, District Beed, for the offences punishable under Sections 392, 395 and 120B of the Indian Penal Code, on condition that they shall attend the police station on every Tuesday and Thursday between 10.00 a.m. and 1.00 p.m. till filing of the chargesheet.

(S. G. MEHARE)
JUDGE