

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

930 BAIL APPLICATION NO.1676 OF 2021

SACHIN @ BABA AMBADAS CHAVAN
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Ghanekar Nilesh S.
APP for Respondents/State : Mr. G.O. Wattamwar
...

CORAM : M.G. SEWLIKAR, J.
DATE : 20th January, 2022

PC.:-

Heard.

2. Informant is a driver working with Sarco Transport, Pandharpur. Informant was driving the container no.MH-42-B-8452 on 12th November, 2021. At about 12.30 am near Beed Bye-pass on Solapur road, a jeep of black colour intercepted the truck of the informant. He was forcefully alighted from the container by three to four persons who were travelling in the jeep. One of them started driving the container. Thereafter, the informant went home and communicated about the incident to his Manager. Container was found at Kachner Phata. On reaching there container was found empty. The goods in the container were found lying scattered. On these allegations FIR came to be lodged against unknown persons under Section 392, 395 read with Section 34

of the I.P.C.

3. Charge-sheet is yet not filed. Identification parade is held in which informant did not identify the applicant. Admittedly, no recovery is effected from the applicant. There are no criminal antecedents against the applicant. Therefore, there is no possibility of applicant committing similar type of offence again. In this view of the matter, I am inclined to release the applicant on bail. Hence the following order is passed:

ORDER

- I) Application is allowed.
- II) Applicant be released on PR bond of Rs.15,000/- with one solvent surety in the like amount, in connection with Crime No.510 of 2021 under Section 392, 395 read with Section 34 of the I.P.C. with Chikalthana Police Station, District Aurangabad on condition that he shall not tamper the prosecution evidence and shall not interfere in the investigation and shall attend the concerned police station on every Saturday between 12.00 noon and 4.00 pm till the filing of the charge-sheet.
- III) These observations are made only for the disposal of this application and the learned trial Court shall not get influenced by these observations and can come to its independent conclusion during trial.

[M.G. SEWLIKAR, J.]