

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO.147 OF 2023

AJABYA MAHADU BHOSALE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Nilesh S. Ghanekar
APP for Respondent : Mr. K. S. Patil
...

CORAM : S. G. MEHARE, J.

DATE : 08-02-2023

PER COURT :-

1. Heard the learned counsel for the applicant and the learned A.P.P. for the respondent/State.
2. The learned counsel for the applicant would argue that since some false crimes of similar type were registered against the applicant, he has been arraigned as an accused in the crime. A false recovery of stolen wrist watch shown at the instance of the applicant. The applicant has not been identified in the test identification parade. Barely having the crimes of similar nature registered against the applicant, he may not be refused bail.
3. The learned A.P.P. for the respondent/State opposed the application contending that there are three crimes to the discredit of the applicant. The stolen watch has been recovered at his instance. Therefore, that shows his involvement in the crime.

4. Perused the chargesheet. There appears substance in the argument of the learned counsel for the applicant. Considering the nature of the allegations against the applicant, he may be released on bail on certain stringent conditions. Hence, the following order :-

- i) Application is allowed.
- ii) Applicant Ajabya Mahadu Bhosale be released on bail, on furnishing PB and SB of Rs.50,000/-, with one solvent surety of the like amount, in C.R.No.295 of 2022 registered with Khultabad Police Station, District Aurangabad, for the offence punishable under Sections 395 and 397 of the Indian Penal Code, on the conditions that;
 - (a) He shall not tamper with the prosecution witnesses.
 - (b) He shall attend the Police Station, Khultabad, on every second and fourth Monday, between 8.00 p.m. to 10.00 p.m., till the conclusion of the trial.

(S. G. MEHARE)
JUDGE

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