

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

BAIL APPLICATION NO. 602 OF 2023

AMAN AASHIK TELI
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for the applicant : Mr. R. S. Pawar
A.P.P for respondent/state : Mr. S. P. Deshmukh

....
WITH
BAIL APPLICATION NO. 575 OF 2023

AFSARODDIN NAWAZODDIN QAZI AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA

..
Advocate for the applicant : S. S. Kazi with Fatema Kazi
A.P.P for respondent/state : Mr. S. P. Deshmukh

....

CORAM : S. G. MEHARE, J.

DATE : 11.04.2023

PER COURT :

1. Heard the learned counsel for the applicants and the learned A.P.P. for the respondent/State.
2. It has been argued for the applicants that they have been arrested on bare suspicion. They have no antecedents. The police have recovered the amount from them. They have no concern with the stolen articles. The complainant had

suffered the loss in his business; hence, he has falsely implicated them in the crime. Their detention will serve no purpose. Therefore they may be released on bail.

3. The learned A.P.P. opposed the application. He would contend that stolen articles are yet to be recovered. Only hard cash amount of Rs.90,000/- has been recovered from the applicants. The scrap seller stated against the applicants that they have sold him the stolen articles. The investigation is in progress. Hence, they may not be granted bail.

4. Perused the papers. The recovery of the money whatsoever possible has been shown from the applicants. The stolen articles were not in possession of the applicants. There are no antecedents to their discredit. Considering the progress in the investigation it would be inappropriate to keep them behind bar. Hence the following order.

ORDER

- (i) The applications are allowed.
- (ii) Applicant Aman Aashik Teli in Bail Application No. 602 of 2023 and applicant No.1 Afsaroddin S/o Nawazoddin Qazi, applicant No.2 Pathan Sajid Rahimullah Khan and applicant No.3 Abdul Salam Abdul Lateef Shaikh in Bail Application

No. 575 of 2023, be released on bail on furnishing P. B. and S.B. of Rs. 50,000/- (Rupees Fifty Thousand only) each with one solvent surety of the like amount, in Crime No. 168/2023 registered with Nandurbar City Police Station, for the offences punishable under Sections 379 read with Section 34 of the Indian Penal Code on the following conditions :

- (a) The applicants shall not tamper with the prosecution witnesses.
- (b) They shall attend the police station as and when called by the Investigating Officer on written notice, till filing the charge sheet.
- (c) They shall not involve in the similar crime.

(S. G. MEHARE)
JUDGE