

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

BAIL APPLICATION NO.842 OF 2023

**ANIKET RAOSAHEB HIWALE
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicant : Mr. Mahesh P. Kale
APP for Respondent/State : Mr. Y.G. Gujarati
...

CORAM : S.G. MEHARE, J.

DATED : JUNE 09, 2023

PER COURT:-

1. Heard learned counsel for the applicant and learned APP for the State.
2. The applicant is seeking bail in Crime No.435 of 2022 registered with Mukundwadi Police Station, District Aurangabad for the offence punishable under Section 392 r/w 34 of Indian Penal Code and Section 142 of Maharashtra Police Act.
3. The alleged stolen property was allegedly recovered from the applicant from his pocket after some months of the incident.
4. Learned counsel for the applicant would point out that the recovery is unnatural. He has been arraigned as an accused only for the reason that there were antecedents to his discredit.
5. Perused the papers. There appears substance in the argument of the learned counsel for the applicant. The recovery of

(2)

the alleged stolen property has already been done. Therefore, his further detention would serve no purpose. Hence, the following order:

ORDER

- (i) Bail Application is allowed.
- (ii) The applicant, Aniket s/o Raosaheb Hiwale, be released on bail on executing P.B. and S.B. of Rs.50,000/- (Rupees fifty thousand) with one solvent surety in the like amount in connection with the above crime, on the conditions that he shall not tamper with the prosecution witnesses.
- (iii) The applicant shall attend the concerned police station on every first and last Monday of each month between 05.00 pm to 07.00 pm, till conclusion of the trial.

(S.G. MEHARE, J.)