

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

920 BAIL APPLICATION NO.1419 OF 2023

RAVINDRA POPAT GHULE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. R.S. Kasar
APP for Respondent : Mr. S.B. Narwade

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CORAM : S. G. CHAPALGAONKAR, J.
Dated: September 13, 2023

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PER COURT :-

1. The applicant seeks regular bail in connection with Crime No.I-191 of 2022 registered with Sonai police station, Tq. Sonai, District Ahmednagar, for the offence punishable under sections 395, 392, 363, 341, 412, 427, r/w 34 of the Indian Penal Code.

2. Investigation was set in motion on the basis of the complaint given by one Nisar Gulam Shaikh. He alleges that on 10.6.2022 while he was proceeding in a truck which was loaded with steel rods, unknown accused persons halted him and under threat of knife they took truck to unknown location where goods were unloaded. Thereafter, the accused persons left the truck at the unknown place leaving the informant in the truck. It is alleged that unknown accused persons have committed robbery of the goods carried in the truck as well as cell phone of the informant. The investigation progressed in pursuance of the aforesaid crime. Accused persons were

arrested. Recovery of goods is already effected from accused Sujit. Thereafter, present applicant has been arrested on 25.6.2023. Since then he is behind bar.

3. Learned advocate appearing for the applicant would submit that the FIR was filed against unknown persons. Main accused persons are already arrested. The goods which are subject matter of the offence are already recovered. The detention of the applicant may not be necessary. He would further point out that this Court has already enlarged accused Sujit and accused Dattatraya on bail vide order dated 29.8.2022. No different role can be attributed against the applicant. Therefore, even on the ground of parity, the applicant would be entitled for grant of bail.

4. Per contra, learned A.P.P. strongly opposes the application. He would submit that the applicant is a harden criminal. He avoided his arrest for a period of more than one year. He would further submit that as many as eight offences are registered against the applicant. Even, motorcycle that was used in the commission of offence was a stolen property in another crime. He would therefore urge to reject the application.

5. Having considered the submissions advanced, apparently, investigation in the crime is practically over. Charge-sheet is filed against arrested accused persons. Present applicant is arrested on 25.6.2023. Initially, he was remanded to the P.C.R. The goods which are subject matter of the crime

are already recovered from the accused Sujit and he is enlarged on bail by order of this Court. Similarly, other accused persons, who are attributed similar role as attributed to the applicant, are also enlarged on bail. Although, there are eight previous offences against the applicant and he had protracted arrest considerably for long period, taking into account the aforesaid circumstances, case is made out for grant of bail, it would be subject to the stringent conditions. Hence, the order.

ORDER

- I. Criminal Bail Application is hereby allowed.
- II. The applicant - RAVINDRA POPAT GHULE be released on bail in connection with No.I-191 of 2022 registered with Sonai police station, Tq.Sonai, District Ahmednagar, for the offences punishable under sections 395, 392, 363, 341, 412, 427, r/w 34 of the Indian Penal Code on furnishing P.B. & S.B. of Rs.50,000/- (Rs.Fifty Thousand) on the following conditions :-
 - a] The applicant shall submit details of his contact number and his residential address alongwith Aadhar card with police station Sonai.
 - b] In addition to above, the applicant shall also submit the contact number and residential addresses of his two close relatives alongwith their Aadhar Cards.

- c] The applicant shall attend police station Sonai once in a week i.e. on every Saturday between 10 am to 2, pm till filing of the charge sheet against him.
- d] Even after filing of the charge-sheet, he shall attend the police station Sonai once in a month i.e. on every 5th day and continue to update about his residential address and mobile number, if any.
- e] The applicant shall not tamper with the prosecution evidence in any manner.
- f] The applicant shall not contact with any witness knowing or concerning with the facts of the present case.
- g] The applicant shall not indulge in similar offence.

III. Bail application is accordingly disposed off.

(S.G. CHAPALGAONKAR J.)

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