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

BAIL APPLICATION NO.1747 OF 2023

**ARVIND JADHAV @ RAVINDRA RAKESHKUMAR SINGH
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicant : Ms. Aishwarya C. Deshpande h/f. Mr.
Chaitanya C. Deshpande.
APP for Respondents: Mrs. P.V. Diggikar.

WITH BAIL APPLICATION NO. 1847/2023

**SUYASH SAPU MANE
VERSUS
THE STATE OF MAHARASHTRA.**

..
Mr. Dinesh Manwatkar Advocate h/f. Sachin S. Randive for applicant.
Mrs. P.V. Diggikar, APP for respondent.

CORAM : S.G. CHAPALGAONKAR, J.

DATE : 23rd OCTOBER, 2023

ORDER :-

1. The applicants seek regular bail in connection with Crime No. 73 of 2023 registered with Nijampur Police Station, Dist. Dhule for the offences punishable under Sections 308, 285, 286, 337, 338 r/w. 34 of IPC and Section 3 of Explosive Substances Act and Section 14 of the Child Labour Protection Act, 1986.

2. The investigation was set in motion on the basis of the information given by Bhaiya Suresh Bhagwat. It is alleged that on

18.5.2023, the informant received a message that workers at Bhavani Celebration workshop, Waskhedi, Taluka Sakri, have suffered injuries and they have been admitted to the hospital. Poor persons have lost their lives in the mishap and others were injured. The informant states that the workshop was run without authorization for manufacturing candles wherein the explosive substance is used as a raw material. It is alleged that because of the negligence of the owner/Supervisor, the incident in question took place. Accordingly, crime No 73 of 2023 came to be registered against in all 4 accused persons, including the present applicants.

3. The investigation progressed and charge sheet is filed. The applicants are arrested on 19.4.2023 and 29.5.2023, respectively, and they are behind bars since then.

4. The learned advocate for the applicants would submit that they have been falsely implicated. They have not committed any offence. The co-accused in the crime are already enlarged on bail. The investigation in the matter is complete and the trial is likely to take its own course. Learned counsel appearing in Bail application No. 1847 of 2023 would submit that although the applicant is referred as owner of the factory, such statement is without any material. Even in the charge sheet, there is nothing to indicate the ownership of applicant. Learned counsel for applicants further invite attention of this court to the Medical Discharge Summary in respect of the applicant to contend that he was under medical supervision and admitted in hospital during the period from 15.4.2023 to 24.4.202. Meanwhile, the incident has taken place.

5. Learned APP, strongly oppose the applications stating that offence is serious. Poor persons have lost their lives on account of the negligence. Further the factory was run without authorization. Explosive substances were used for manufacturing purpose without requisite licence. Therefore she prayed for dismissal of the applications.

6. Having considered the submissions advanced, the applicants are neither owner nor their specific role and duties are specified in the charge sheet. This Court has released one of the accused by order dated 24th August, 2023 in Bail Application No. 1359 of 2023. The accused therein was alleged to be the Supervisor of the company. So far as the applicant in Bail Application No. 1847 of 2023 is concerned, he is alleged to be the owner of the factory, however, except cursory reference that he is the owner, nothing is placed on record. On the other hand, one Rohini Kunwar appears to be owner of the factory. After considering the overall material available on record, prima facie, the material in charge sheet is bereft to make out a case against the applicants. The applicants are behind bars for last 5 months. The investigation is complete and charge sheet is already filed. Further detention of the applicants would not be necessary. Hence, a case is made out for grant of bail.

O R D E R

[i] The application is allowed.

[ii] The applicants (1) Arvind Jadhav @ Ravindra Rakeshkumar Singh (2) Suyash Sapu Mane, be released on bail on furnishing PB. and S.B. of Rs. 50,000/- (rupees fifty thousand) each, with one solvent surety of the like amount each, in connection with Crime No. 73 of 2023 registered with Nijampur Police Station, Dist. Dhule for the offences punishable

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under Sections 308, 285, 286, 337, 338 r/w. 34 of IPC and Section 3 of Explosive Substances Act and Section 14 of the Child Labour Protection Act, 1986 on the following conditions :-

- [a] The applicants shall not tamper with the prosecution evidence.
- [b] They shall attend each and every effective date before the trial court.
- [c] The applications stand disposed of.

[S.G. CHAPALGAONKAR]
JUDGE

grt/-