



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

903 BAIL APPLICATION NO. 3 OF 2024

Govinda Dhanraj Chaphorkar
VERSUS
The State Of Maharashtra

...
Advocate for Applicant : Mr. Patil A. J.
APP for Respondent: Mrs. Pratibha J. Bharad
...

WITH
904 BAIL APPLICATION NO. 4 OF 2024

Gaurav @ Vicky Sudhir Patil @ Rajput
VERSUS
The State Of Maharashtra

...
Advocate for Applicant : Mr. Harshal Prakash Randhir
APP for Respondent: Mr. Mrs. Pratibha J. Bharad
.....

WITH
BAIL APPLICATION NO. 5 OF 2024

Ganesh @ Dnyaneshwar Nagin Tayade
VERSUS
The State Of Maharashtra

...
Advocate for Applicant : Mr. Harshal Prakash Randhir
APP for Respondent: Mr. Mrs. Pratibha J. Bharad
.....

CORAM : SANJAY A. DESHMUKH, J.
DATED : 23rd JANUARY, 2024.

PER COURT :-

1. The applicants are seeking bail under section 439 of Cr.P.C. in connection with crime No. 0228 of 2023 registered with Soygaon police station, District Aurangabad for the offences punishable under Sections 395, 398, 341, 120-B of I.P.C. Their

applications with similar prayer bearing criminal bail application Nos. 2551 and 2570 of 2023 came to be rejected by the learned Additional Sessions Judge-11, Aurangabad, vide order dated 14.12.2023.

2. The informant averred in the report that on 5.11.2023, at about 6.30 p.m. three unknown persons came on one motor cycle and two unknown persons came on another motor cycle. They alighted and one of them put a sharp edged weapon on the stomach of the informant, threatened him and demanded money. One person put a steel pipe on the head of the informant and threatened to assault him. A Mobile handset worth Rs.18,000/- and cash amount of Rs.17,710/- were snatched from his pant's pocket by another person. They also took gold ring of 5.25 gms, worth Rs.33,000/- from the finger of the informant. The bag having some parcel/articles worth Rs.15,000/- was taken away. Because of the fear, the informant ran away. The report was lodged on second day of the incident. The applicants were arrested on 06.11.2023. The stolen articles were seized from the applicant Govind Dhanraj Chaphorkar.

3. Learned advocate for the applicants submitted that the applicants have no criminal antecedents. They have roots in the society. They will not flee away from the trial. The practical investigation is over. It is lastly prayed to allow the applications.

4. Learned A.P.P. for the respondent-State has strongly opposed

the applications on the ground that the incriminating articles are seized at the instance of applicant Govind Chaphorkar. The applicants are identified in the test identification parade by the informant, which was conducted on 20.01.2024. The possibility of commission of similar nature of crime cannot be ruled out. Considering the serious nature of the crime, it is lastly prayed to reject the applications.

5. Perused the papers of investigation. Practical investigation is over. The applicants have no criminal antecedents. The applicants have roots in the society. The test identification parade is conducted on 20.01.2024. The practical investigation is over. The custodial interrogation of the applicants is not necessary. Considering the age of the applicants and there is no criminal antecedents, the applicants can be released by imposing stringent conditions. Hence, the following order.

O R D E R

- I. Applications are allowed.
- II. The applicants (I) Govinda Dhanraj Chaphorkar, (ii) Gaurav @ Vicky Sudhir Patil @ Rajput and (iii) Ganesh @ Dnyaneshwar Nagin Tayade in connection with crime No. 0228 of 2023 registered with Soygaon police station, District Aurangabad for the offences punishable under Sections 395, 398, 341, 120-B of I.P.C. be released on bail on furnishing personal bond of

Rs.1,00,000/- each with one surety each of the like amount on following conditions:-

- a) The applicants shall attend the concerned police station on every Monday and Thursday between 7.00 p.m. to 9.00 p.m.
- b) The applicants shall not pressurize the informant and other witnesses and tamper with the evidence, in any manner.
- c) The applicants shall not enter within the limits of Bhadgaon and Pachora Talukas, district Jalgaon till the conclusion of trial.
- d) If any breach of the conditions is found, then the concerned police station or the prosecution may proceed against applicants to cancel the bail without reference to this Court, before the trial court concerned.

(SANJAY A. DESHMUKH, J.)

rlj/