



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

16 BAIL APPLICATION NO. 533 OF 2024

GAJVEERSINGH ALIAS GAJVEERSINGH NARPATSINGH RATHOD
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Krishna Pratap Rodge.

APP for Respondent/State : Mr. Satish A. Gaikwad.

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CORAM : **SANJAY A. DESHMUKH, J.**

DATE : 08th April, 2024.

P.C.:

1 Heard.

2 This is an application, under Section 439 of the Code of Criminal Procedure, 1973, for grant of regular bail in connection with Crime No.528 of 2023, registered with Udgir Rural Police Station, District Latur, for the offences punishable under Sections 380, 454 and 411 of the Indian Penal Code.

3 It is averred in the report that the applicant kept 8 tolas golden ornaments, which were stolen property.

4 The learned counsel for applicant submitted that the applicant is falsely implicated in the crime. He has roots in the society. He has no criminal antecedents. The practical investigation is over.

The trial will take long period. The applicant is student of B.Sc. second year. The learned counsel for applicant pointed out the admit card of the examination of applicant alongwith schedule of the examination, which starts from 15th April, 2024. It is lastly prayed to allow the application.

5 The learned APP for the State strongly opposed the application and submitted that the applicant is involved in the serious crime. If he is released on bail, he will pressurize the witnesses and tamper the evidence. It is lastly prayed to reject the application.

6 Perused the papers of investigation, particularly, the report and the statements of witnesses. Without adverting into the merits of the case and the fact that the applicant has roots in the society, the custodial investigation of the applicant is not necessary, the applicant has no criminal antecedents, the trial will take long period. Considering all these aspects, the applicant is entitled for bail on the principle that bail is rule and jail is exception. The application deserves to be allowed on certain conditions. Hence, the following order:-

ORDER

- I. The application is allowed.
- II. The applicant in connection with Crime No.528 of 2023,

registered with Udgir Rural Police Station, District Latur, for the offences punishable under Sections 380, 454 and 411 of the Indian Penal Code, be released on bail on furnishing personal bond of Rs.25,000/- with surety of the like amount on following conditions:-

- a) The applicant shall not pressurize the prosecution witnesses, in any manner.
- b) The applicant shall not tamper with the prosecution evidence, in any manner.

[SANJAY A. DESHMUKH, J.]

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