



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

BAIL APPLICATION NO. 1082 OF 2024

1. SATISH S/O. BALAJI SONTAKKE
2. ADITYA S/O. DEVIDAS PARANJAPE
VERSUS
THE STATE OF MAHARASHTRA

...

WITH BAIL APPLICATION NO. 1224 OF 2024

RAMESHWAR S/O. SAMBHAJI JADHAV
VERSUS
THE STATE OF MAHARASHTRA

...

Advocate for Applicants : Mr. B. N. Gadegaonkar
APP for Respondent : Ms. P. R. Bharaswadkar

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CORAM : S. G. MEHARE, J.

DATE : 22-07-2024

PER COURT :-

1. Heard the learned counsel for the applicants and the learned A.P.P. for the respondent.
2. The applicants seek bail in C.R.No.40 of 2024 registered with Police Station Barad, District Nanded, for the offences punishable under Sections 395, 504 and 506 of the Indian Penal Code.
3. Nothing has been recovered from applicant Satish. A cash has been recovered from applicant Rameshwar. The first information report was lodged against unknown persons. In the first information report, it was specifically contended that the

complainant has identified the accused. The applicants were arrested immediately on the next day of the incident. Since May-2024, they are languishing in jail.

4. Learned A.P.P. was specifically asked whether test identification parade has been conducted. She contended that the investigation has been progressed still test identification parade is not held.

5. The reason is best known to the Investigating Officer why he is delaying the test identification parade. In the case where the confidence is reposed in the complainant, the Investigating Officer should verify the fact and request the Executive Magistrate to hold or conduct the test identification parade.

6. However, the prosecution is opposing the bail application on the ground that one of the co-accused is still absconding and investigation is in progress.

7. The applicants have no antecedents. The material investigation against the applicants has been completed. Further detention of the applicants would serve no purpose. Hence, the order :-

ORDER

i) Bail Applications are allowed.

- ii) Applicants No. 1 - Satish s/o. Balaji Sontakke, No.2 - Aditya s/o. Devidas Paranjape and Applicant - Rameshwar s/o. Sambhaji Jadhav be released on bail, on furnishing PB and SB of Rs.50,000/-, with one solvent surety of the like amount each, in the above crime for the aforesaid offences, on the conditions that,
- (a) They shall attend the police station as and when called by the Investigating Officer on written notice till filing of the chargesheet.

(S. G. MEHARE, J.)

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