

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

BAIL APPLICATION NO. 1615 OF 2024

1. Sahil s/o Sunil Sathe
2. Kumar s/o Gunwant Londhe
3. Kumar s/o Shankar Poul ..Applicants

VERSUS

The State Of Maharashtra ..Respondent

...  
Advocate for Applicants : Mr. Kawade Shrikant G.  
APP for Respondent/State : Mr. A.S. Shinde

...  
**CORAM : S.G. MEHARE, J.**

**DATED : OCTOBER 08, 2024**

**PER COURT:-**

1. Heard learned counsel for the applicants and learned APP for the State.
2. The applicants seek bail in Crime No.340 of 2024 registered with Tuljapur Police Station, District Dharashiv/Osmanabad for the offences punishable under Sections 310(2), 281, 324(4) of Bharatiya Nyaya Sanhita, 2023.
3. The prosecution case was that on the day of the incident, few people entered crusher with a transport vehicle popularly known as 'chota hathi'. They filled the blue stones in their vehicle. So, the owner, manager and his brother chased that vehicle. That vehicle

dashed their vehicle. However, lastly that vehicle failed. Therefore, two applicants were apprehended on the spot. The stolen property has been seized. It seems to be a solitary incident or first crime against the applicants.

4. Learned APP has opposed the application on the ground that the investigation is in progress. The material investigation of recovery of the stolen property from the applicants has been completed. The test identification parade may be held anytime by issuing them notices. Therefore, for the purpose of test identification parade only, the bail cannot be refused.

5. Considering the facts and circumstances of the case, the Court is of the view that material investigation has been completed. Nothing is to be recovered from the applicants. Hence, they deserve bail. Hence, the following order :

### **ORDER**

- (i) Bail Application is allowed.
- (ii) Applicants, (1) Sahil s/o Sunil Sathe, (2) Kumar s/o Gunwant Londhe and (3) Kumar s/o Shankar Poul be released on bail on furnishing PB. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) each with one solvent surety of the like amount each in the above crime, on the conditions that ;
  - (a) The applicants should not tamper with the prosecution witnesses.

(3)

(b) They should attend the police station as and when called on written notice by the investigation officer till filing the charge sheet and made them available for test identification parade, if called by the investigation officer.

**(S.G. MEHARE, J.)**