



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

BAIL APPLICATION NO. 1639 OF 2024

CHETAN CHATURBHAI VASIYANI AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicants : Mr. N. S. Ghanekar holding for
Mr. Govind M. Sharma
APP for Respondent : Mr. A. A. A. Khan
...

CORAM : S. G. MEHARE, J.
DATE : 26-09-2024

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.648 of 2024 registered with MIDC Waluj Police Station, Chhatrapati Sambhaji Nagar, for the offences punishable under Sections 140(3), 140(1), 142, 115(2), 324(4)(5), 352, 351(1)(2) and 3(5) of the Bharatiya Nyaya Sanhita.
3. It has been alleged against the applicants that they had purchased some machinery from the complainant. However, those were not loaded. Therefore, the applicants became aggressive and

they took him in the car. They were threatening him. It has also been alleged that the co-accused assaulted the victim with the water bottle. They were intercepted in the way and arrested on 13.07.2024.

4. The learned counsel for the applicants submits that the allegations about assaulted have been exaggerated. A simple abrasion was found on the person of informant - Sandip. The applicants are from the business family. They did not kidnap them. It was a business transaction. Nothing remained to be recovered from them. The chargesheet has been filed. Hence, they may be granted bail.

5. The learned A.P.P. has strongly opposed the application. He submits that the applicants are from the State of Gujarat. If the bail is granted, they would not be available for the trial. The offence is serious. Hence, they may not be granted bail.

6. Perused the papers.

7. It seems that the applicants and the victim had transaction of selling machine and dispute arose when one of the machines was not loaded in a carrier vehicle. The injuries suffered to the injured were simple. The applicants are languishing in jail for sufficient period. No purpose would be served by keeping them behind bar. Hence, the order:-

ORDER

- i) The bail application is allowed.
- ii) Applicants No. (1) Chetan Chaturbhai Vasiyani, (2) Bashirbhai Anwarbhai Belim and (3) Suresh Manku Yadav, be released on bail, on furnishing PB and SB of Rs.50,000/- each, with one solvent surety of the like amount, in the above crime for the aforesaid offences, on the conditions that,
 - (a) They should not tamper with the prosecution witnesses.
 - (b) They should attend the trial on each and every date.
 - (c) They should furnish their residential proof with cell phone numbers with the trial Court with an undertaking that they would not change it till the conclusion of the trial.

**(S. G. MEHARE)
JUDGE**

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