

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 1666 OF 2024

1. Kishor Somnath Sangle
2. Sagar Chimaji Demunde
3. Pratik @ Sunny Rajendra Pawar
4. Mahendra @ Gotya Arun Godse ..Applicants

VERSUS

The State Of Maharashtra ..Respondent

Advocate for Applicant : Mr. Rahul R. Karpe a/w Mr. A.S. Halnawar
APP for Respondent/State : Mr. A.A.A. Khan
Advocate for Assis to PP : Mr. N.B. Narwade

WITH
CRIMINAL APPLICATION NO. 4203 OF 2024
IN BA/1666/2024

CORAM : S.G. MEHARE, J.

DATED : OCTOBER 08, 2024

PER COURT:-

1. Heard learned counsel for the applicant, learned APP for the State.
2. Criminal Application No.4203 of 2024 for assisting the Public Prosecutor is allowed. However, he being not the victim, he has no right to address the Court.
3. The applicants seek bail in Crime No.203 of 2024 registered with Mirajgaon Police Station, District Ahmednagar for

the offences punishable under Sections 140(3), 189(2), 191(2), 189(3), 190, 126, 127(2), 115, 352, 351(2), 351(3) of the Bharatiya Nyaya Sanhita, 2023 and Sections 3/25 of the Arms Act and Sections 37(1)(c) and 135 of the Maharashtra Police Act.

4. It appears that it was an incident happened out of the political rivalry. The prosecution case in brief was that on the day of the incident, the vehicle of the first informant was intercepted by two cars and one Village Panchayat member namely Nitin Bansi Gavhane was taken from their custody to Mahabaleshwar. It is an admitted fact that the said person travelled with the so-called accused for two days. However, he never tried to escape and inform the first informant about his whereabouts. The applicants were not named in the FIR. However, subsequently they were arraigned as an accused in the crime. Till date, the person abducted is not coming forward against the applicants. On the contrary, his statement shows that he was given good treatment. The prosecution has further case that he was abducted to restrain him from casting vote to the no confidence motion.

5. The conduct of alleged abducted person was important. He did not lodge the report against the applicant or the co-accused. He was the victim, but he preferred not to indulge in the rival groups of the village politics. There are no allegations of using the weapon to cause the injury to the abducted person. Though the learned APP has

tried to argue that due to the acts of the applicants and other co-accused, the no confidence motion resolution was failed, it cannot be said to have concern with the alleged offence of abduction. The silence of the person abducted speaks a lot. In the circumstances, there are no reasons to keep the applicant behind bar. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) All the applicants be released on bail on furnishing P.B. 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.
 - (b) The applicants should attend the police station as and when called on written notice by the investigation officer till filing the charge sheet.

(S.G. MEHARE, J.)