



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 78 OF 2025

Yogesh Shalikrao Dhande

Age: 23 years, Occu.: Labour,

R/o. Indewadi, Tq. & Dist.Jalna.

....Applicant / Accused

Versus

The State of Maharashtra

Through Investigation Officer,

Jalna Taluka Police Station,

Dist.Jalna.

....Respondent

.....

Advocate for Applicant : Mr. H.D.Deshmukh

APP for Respondent: Ms.Vaishali S.Chaudhari

.....

CORAM : ABHAY S. WAGHWASE, J.

DATE : 18 FEBRUARY, 2025

ORDER :

1. Applicant seeks his enlargement on bail on account of his arrest in Crime no.0792 of 2024 registered at Jalna Taluka Police Station, Dist.Jalna for offence under Sections 61, 318, 111(2)(b) of the Bharatiya Nyaya Sanhita and under Sections 3(B), 23 and 25 of the The Pre-conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994.
2. Learned counsel submitted that applicant is arrested in above

crime on 18-12-2024 and he is behind bars since then. According to learned counsel, applicant was a mere driver. That, no role is attributed to him in above crime. That, merely his vehicle was engaged and he is not involved in the above crime. That, only because he was present, he is arrested. Now, applicant is behind bars since long. That, nothing is to be recovered at the instance of applicant. Hence, learned counsel seeks grant of bail on any condition deem fit by this court.

3. Learned APP conceded that applicant Yogesh was shown to be present and no specific role is attributed to him.

4. Perused the FIR at the instance of Medical Superintendent alleging that on secret information, Civil Surgeon Dr.Patil constituted a team to conduct raid to apprehend one Sandip Kailas Gore, who was said to be involved in selling Sonography machine. Accordingly, initially a dummy customer was sent and said Gore agreed to sell the machine for Rs.5,00,000/- and accordingly, venue for meeting was given as Ambad Choufuli. Finally, trap was laid near Suyesha Lawn. At around 12:15, two persons came on Jupiter Scooty followed by a Swift Desire Car, which was occupied by a dummy customer. Said

Sandeep Gore and his associate approached the vehicle and when money was handed over, said Sandeep Gore was apprehended. Therefore, primarily allegations are against Sandeep Gore and his associates Somnath. Thus as submitted roles are attributed to only Sandeep and Somnath and in the FIR at least there is no role of applicant. Learned APP has fairly admitted that no role is attributed to present applicant and as he was present, he was apprehended. Taking the same into consideration, applicant deserves relief. Hence, the following order :

ORDER

- (i) Application is allowed.
- (ii) Applicant Yogesh Shalikrao Dhande be released on bail in connection with Crime no.0792 of 2024 registered with Jalna Taluka Police Station, Dist.Jalna on executing Personal Bond of Rs.15,000/- with one surety in the like amount.
- (iii) Applicant shall not tamper prosecution evidence.

**(ABHAY S. WAGHWASE)
JUDGE**