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

BAIL APPLICATION NO.105 OF 2025

Sagar Pantas Bhosale,
Age: 22 years, Occu.: Nil,
R/o. Vitthalwadi Road,
Kamargaon, Tq. & Dist. Ahmednagar. ... Applicants

Versus

The State of Maharashtra
Through Supa Police Station,
Tq. Parner, Dist. Ahmednagar. ... Respondents

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Mr. Suvarna Zaware, Advocate h/f Mr. S.B. Dushing, Advocate for
Applicant
MS. Vaishali, S. Chaudhari,, APP for Respondent – State

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CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 26 FEBRUARY 2025

PRONOUNCED ON : 27 FEBRUARY 2025

PER COURT :-

1. Applicant seeks grant of regular bail on account of his arrest in Crime No.0187 of 2024, registered with Supa Police Station, District Ahmednagar for the offences punishable under Sections 395, 396, 397, 307, 302 of the Arms Act.
2. Learned counsel for applicant pointed out that applicant is arrested in above crime on 17.04.2024. That, FIR is against unknown persons. She further pointed out that, in all six persons are said to be involved and out of them, five accused are already released on bail.

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That, except present applicant, all are beneficiaries of bail. She pointed out that, persons, who committed offence had come by covering their faces and their identity was concealed. That, test identification parade is conducted at belated stage. Even otherwise, recovery is already said to be effected. Therefore, further custody is unwarranted.

3. Above application is strongly opposed by learned APP on the ground that serious offence is committed. That, one person's life was taken away. That, recoveries are made from them. According to learned APP, applicant was found to be having ornaments, whereas, from rest of the accused, who are granted bail, there was recovery of money. Therefore, applicant's role is distinguishable and he can not seek parity. For above reasons, learned APP opposes bail application.

4. Heard. Perused the papers. FIR by Supa Police seems to be registered on the statement of one Vasant Ganpat Javak, while he was admitted in Niramaya Hospital, Supa. He has reported that on 14.04.2024, around 10:30 p.m., when he, his parents and family, after taking dinner, retired to bed, around 00:15 hrs., 5 to 6 persons forced their entry into the house and started beating informant by means of stick. It is alleged that, when he raised shouts, two persons approached him, who were having sickle and one of them assaulted

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him on his head and threatened him not to shout. When his wife came to save him, she was also hit by wooden log. They robbed him of Rs. 5,000/- in cash and also took his daughters' earrings. They also snatched *Malgasutra*, golden and silver ornaments, mobile and other valuable articles. His parents were also inflicted injuries and his father was found lying in the cattle shed. On examination, his father was reported to have died. Therefore, on above report, crime has been registered for dacoity causing death of one person and carrying away cash and ornaments worth Rs.2,48,500/-.

5. Previous orders granting bail to co-accused are placed on record vide Bail Application Nos.1834 of 2024, 2102 of 2024 and 66 of 2025 dated 21.10.2024, 18.12.2024 and 07.02.2025, respectively. Therefore, as many as five accused are already granted bail by this Court by above orders. Submissions made that, accused were masked and their faces were covered, has not been refuted by learned APP. Learned APP has given the date of conducting test identification parade as 09.05.2024, i.e. more than 2 to 3 weeks after arrest. Therefore, when other similarly placed accused are granted bail, there is no plausible reason to refuse bail to the present applicant on submission of learned APP that ornaments are seized at his instance. Resultantly, relief deserves to be granted. Hence, the following order :

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ORDER

(i) Application is allowed.

(ii) Applicant Sagar Pantas Bhosale, be released on bail in connection with Crime No.0187 of 2024, registered with Supa Police Station, District Ahmednagar on executing Personal Bond of Rs.15,000/- with one surety in the like amount on following conditions:

[a] The applicant shall not tamper prosecution evidence.

[b] The applicant shall not enter Taluka Parner, District Ahmednagar till conclusion of trial.

[c] The applicant shall not leave the area of jurisdiction of the concerned police station till conclusion of trial.

[d] The applicant shall attend the concerned police station twice in every week i.e. on every Thursday and Monday and maintain personal diary of his attendance till committal of case and thereafter, shall regularly attend each and every effective date before the trial court.

**ABHAY S. WAGHWASE,
JUDGE**