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

BAIL APPLICATION NO.113 OF 2025

Sachin S/o. Sanjay Avhad,
Age: 20 years, Occu.: Labour,
R/o. Village Undirgaon,
Tq. Shrirampur, Dist. Ahmednagar ... Applicant

Versus

The State of Maharashtra ... Respondent

.....
Mr. Joyeb J. Shaikh, Advocate for Applicant
Mr. C.V. Bhadane, APP for Respondent - State
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CORAM : ABHAY S. WAGHWASE, J.
RESERVED ON : 03 APRIL 2025
PRONOUNCED ON : 08 APRIL 2025

PER COURT :-

1. Applicant seeks enlargement on regular on account of arrest of the applicant in Crime No.378 of 2024, registered with Shrirampur Taluka Police Station, District Ahmednagar for offences punishable under Sections 363, 366(A) and 34 of the Indian Penal Code (IPC).

2. Pointing to the date of arrest of the applicant as 13.07.2024, learned counsel submitted that, applicant is falsely implicated. That, the only role assigned to the present applicant

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is that he assisted the main accused in selling the vehicle as well as the mobile. In support of his submission, learned counsel took this Court through the statement of one Appasaheb Bhausaheb Avhad. He submitted that, girl is more than 17 years of the age and has attained the age of discretion. That, FIR is against unknown person. Lastly, he submitted that, Lastly, learned counsel submitted that, no further recovery or discovery is shown to be made at the instance of applicant, and as applicant is ready to abide by all and any conditions imposed by this Court, therefore, he urges for grant of bail

3. Learned APP opposed on the ground that, minor girl has been kidnapped. That, statements of witnesses show that present applicant is the friend of Sagar, who is still absconding with the girl, and therefore, both Sagar and girl are yet to be taken in custody. For all above reasons learned APP opposes the bail application.

4. Heard. Perused the papers. FIR dated 26.06.2024 is at the instance of father, who reported that on 25.06.2024, his daughter aged 17 years and 4 months went missing from the house in the night. He lodged a report against unknown person for kidnapping. After registration of crime, it revealed that, the

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girl eloped with Sagar, and present applicant seems to be the friend of said Sagar. The girl and Sagar are yet to be found. However, present applicant is behind the bars since July 2024. Statements of witnesses show that, applicant was accompanied Sagar and mortgaged/sold his belongings i.e. vehicle and mobile to raise money to be given to Sagar and the girl. Learned APP, on Court query, pointed out that Sagar had some relations with the girl.

5. Considering the above role of applicant, when merely because a girl and main accused are not found, it is not proper to keep the applicant behind the bars indefinitely, more particularly, when no further recovery or discovery is shown at his instance. Hence, the following order :

ORDER

- (i) Application is allowed.
- (ii) The applicant be released on bail in connection with Crime No.378 of 2024, registered with Shrirampur Taluka Police Station, District Ahmednagar on executing Personal Bond of Rs.15,000/- with one surety in the like amount on following conditions:

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- [a] The applicant shall not tamper prosecution evidence.
- [b] The applicant shall not leave the area of jurisdiction of the concerned police station, without prior permission of the Court, till conclusion of trial.
- [c] The applicant shall attend the concerned police station twice in every week i.e. on every Monday and Thursday between 10:00 a.m. to 02:00 p.m. till committal of case and thereafter, shall regularly attend each and every effective date before the trial court.

**ABHAY S. WAGHWASE,
JUDGE**

S P Rane