



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

BAIL APPLICATION NO. 125 OF 2025

Sanket Sajan Pawar
Age: 22 years, Occu.: Labourer,
R/o. Galli No.7, Ambedkarnagar
(Pundliknagar), Tal. & Dist.Aurangabad
(Cha. Sambhajinagar).Applicant

Versus

The State of Maharashtra
Through Police Inspector,
Pundliknagar Police Station,
Tal. & Dist.Aurangabad
(Cha. Sambhajinagar)Respondent

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Advocate for Applicant : Mr.Shubham Khandagale h/f.
Mr. Arvind Gangadhar Jadhav
APP for Respondent : Mr.S.B.Narwade
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CORAM : ABHAY S. WAGHWASE, J.

DATE : 06 MARCH, 2025

ORDER :

1. Instant application is for grant of regular bail on account of arrest of applicant in crime no.249 of 2024 registered at Pundaliknagar Police Station for offence under Sections 331(4), 305(a), 3(5) of the Bharatiya Nyaya Sanhita.
2. Pointing to the date of arrest of the applicant as 06-07-2024, it

is submitted that FIR is of 02-07-2024. That, primarily FIR was against unknown persons for committing theft of gold ornaments. Learned counsel pointed out that arrest of applicant is on alleged secret information. That, nothing is shown to be recovered at his instance. That, recovery is attributed to other accused. That, some accused are released by the learned trial Court and one accused is released by this Court. He further submitted that investigation is over and chargesheet is already filed. Therefore, according to him, when there is no further recovery or discovery is shown to be made at the instance of applicant, his further detention is unnecessary and as applicant is ready to abide by any condition imposed by this Court, learned counsel urges for grant of bail.

3. Learned APP, while opposing application, submitted that though FIR is against unknown persons, there is CCTV footage showing involvement of applicant. He submitted that there is recovery of Rs.5,000/- at the instance of present applicant. However, learned APP admitted that investigation is over and chargesheet is filed.

4. Heard. Perused the FIR dated 02-07-2024. Informant Ashok

approached Police and lodged report that on 01-07-2024 when his nephew Amit locked his house and went with his family for pilgrimage, unknown persons broke the house and stole ornaments and cash worth Rs.32,53,000/-. Thus, as submitted, FIR dated 02-07-2024 is against unknown thieves. Applicant is shown to be arrested in above crime on 06-07-2024. Learned APP submitted that in all six persons are found to be involved and arrested, more particularly, on the strength of CCTV footage. It is further pointed out that after arrest of applicant, there is recovery of Rs.5,000/- from him. Learned counsel has placed on record order passed in favour of accused Depak Shivaji Shinde by this Court. Thus, he seems to be beneficiary of bail. Now investigation is over. There are no immediate prospects of matter going for trial. Hence, applicant succeeds. Accordingly, following order is passed :

ORDER

- (i) Application is allowed.
- (ii) Applicant Sanket Sajan Pawar be released on bail in connection with Crime no.0249 of 2024 registered with Pundalik Nagar Police Station, Chhatrapati Sambhajnagar on executing Personal Bond of Rs.15,000/- with one surety in the like amount.

(iii) Applicant shall not tamper prosecution evidence.

(iv) Applicant shall not leave jurisdiction of Pundalik Nagar Police Station, Chhatrapati Sambhajnagar, till conclusion of trial, except for attending the dates before the Court.

(ABHAY S. WAGHWASE)
JUDGE

SPT