



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

BAIL APPLICATION NO. 190 OF 2025

Arun s/o Nagorao Gore
Age: 45 years, Occu.: Agriculture,
R/o. Dange Galli, Usman Nagar,
Taluka Kandhar, District Nanded.Applicant

Versus

The State of Maharashtra
(Through Kandhar Police Station,
Taluka Kandhar, District Nanded).Respondent

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Advocate for Applicant : Mr. Prashant Prabhakar Giri
APP for Respondent : Mr.S.B.Narwade

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CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 18 MARCH, 2025

PRONOUNCED ON : 19 MARCH, 2025

ORDER :

1. Present application is for regular bail in crime no.0186 of 2024 registered at Kandhar Police Station, Dist.Nanded for offence under Sections 395, 398 and 120-B of the Indian Penal Code (IPC).

2. Learned counsel pointed out that applicant is arrested in above crime on 25-06-2024. According to him, offence was registered against six unknown persons. That, it is the case of prosecution that there was robbery wherein gold and cash worth Rs.41,35,000/- were said to be looted. Learned counsel pointed out that person initially

came in masked condition. That, no T.I. parade has been conducted. That, similarly placed accused no.2 is enlarged on bail by this Court. That, it is alleged by the prosecution that there is recovery of Rs.2,50,000/- from the applicant. Further according to learned counsel, there is explanation for the said cash in possession of applicant. Learned counsel took this Court through the receipts of alleged agricultural income of applicant. Further, he pointed out that now investigation is over. Coupled with ground of parity it is submitted that no further recovery or discovery is to be. That, applicant is behind bars since almost nine months and when applicant is ready to abide by all and any condition imposed by this Court, learned counsel seeks grant of bail.

3. Learned APP opposed application on the ground that applicant is part of the gang, which has committed above offence. That, they have entered in the house of informant and taken away gold as well as cash by threatening to use deadly weapon like Khanjir. According to learned APP, cash of Rs.2,50,000/- was found with the applicant and therefore, there is strong incriminating circumstances against him. Learned APP pointed out that there is also possibility of misuse of liberty by indulging in similar offence again, if at all bail is

granted.

4. Heard. Perused the papers. FIR dated 15-06-2024 is at the instance of one Gajanan Shrihari Yerawar and he has reported Kandhar Police that on 14-06-2024, when he and his family, after taking dinner retired, one person entered in their hall covering his face and after threatening informant, he took him to the bedroom and asked him to take out whatever he has. Informant reported that after entering bedroom of his brother, other persons joined accused and by threatening to use Khanjir, cash and gold worth Rs.41,35,000/- were taken away. On above report, crime is registered on 15-06-2024. After 10 days i.e. on 25-06-2024, it seems that present applicant is arrested.

Submission by learned counsel that no T.I. parade has been conducted in this case, has not been denied or refuted by the learned APP by demonstrating any material to that extent.

According to prosecution, cash of Rs.2,50,000/- was recovered from present applicant after 10 days of arrest. On the other hand, learned counsel for the applicant attributes said amount to be his agricultural income / earning. Moreover, accused no.2 is granted bail by this Court by order dated 10-01-2025. Now investigation is

over and chargesheet is also filed in September, 2024 itself. Future prospects of trial are still uncertain as date of committal of case and date of framing charge are also not made known to this Court by either side. Apprehension of learned APP can be taken care of by imposing stringent conditions. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant Arun s/o. Nagorao Gore be released on bail in connection with Crime no.0186 of 2024 registered with Kandhar Police Station, Dist.Nanded on executing Personal Bond of Rs.25,000/- with one surety in the like amount.
- (iii) Applicant shall not tamper prosecution evidence.
- (iv) Applicant shall not leave the area of jurisdiction of the concerned Police Station till conclusion of trial.
- (v) Applicant shall attend the concerned Police Station twice in every week i.e. on every Thursday and Monday between 11:00 a.m. to 02:00 p.m. and maintain personal diary of his attendance till committal of case and thereafter, he shall attend regularly each and every effective date before the trial Court.

(**ABHAY S. WAGHWASE**)
JUDGE