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

BAIL APPLICATION NO.241 OF 2025

Vinayak S/o Shankar Shinde
Age: 45 years, Occu.: Labour,
R/o. Sumbha Taluka Dharashiv
At present, resident of Zaregaon,
Taluka Barshi, District Solapur. ... Applicant

Versus

The State of Maharashtra
(Through Tuljapur Police Station,
District Osmanabad) ... Respondent

.....
Mr. D.S. Ingole, Advocate h/f Mr. N.S. Ghanekar, Advocate for
Applicant
Mr. C.V. Bhadane, APP for Respondent - State
.....

CORAM : ABHAY S. WAGHWASE, J.
RESERVED ON : 01 APRIL 2025
PRONOUNCED ON : 03 APRIL 2025

PER COURT :-

1. Instant application is for grant of regular bail on account of arrest of the applicant in Crime No.0176 of 2024, registered with Tuljapur Police Station, District Dharashiv for offences punishable under Section 395 of the Indian Penal Code (IPC).

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2. Learned counsel for the applicant pointed out that, applicant is arrested in FIR dated 12.04.2024 on 03.01.2025. He pointed out that, FIR is apparently against unknown persons. That, informant claims that, persons wearing monkey caps committed the above crime. He submitted that no test identification parade was conducted to support the claim that the applicant was involved in the crime. He further submitted that, charge-sheet is filed in February 2025. That, no further recovery or discovery is shown to be made at his instance. He further pointed out that, even case is not committed, and therefore, charge is also not framed. For all above reasons, learned counsel seeks grant of bail on imposing any conditions deemed fit by this Court.

3. Learned APP opposed the bail application on the ground that, though charge-sheet is filed, there is every likelihood to matter going for trial. Learned also apprehends misuse of liberty.

4. Heard. Perused the FIR dated 12.04.2024, at the instance of one Ratnesh Gate, who reported that, he resides with his family in the field. It is alleged that, on 11.4.2024, when he and his family, after taking dinner, retired to bed, around 09:00 p.m.,

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seven unknown persons covering their faces entered their house, and they were armed with knives and tools like rod, and making use of the same for threatening, they forcibly took away ornaments worth Rs. 415,000, including cash. On above report, crime seems to have been registered.

5. Apparently, as pointed out that FIR is against unknown persons. Statement is made across the bar that no test identification parade has been conducted is not denied by the learned APP. Now, investigation is over and charge-sheet is filed in November 2025. Therefore, taking the above material into consideration, and no further recovery or discovery is shown to be made and as there is no test identification parade is conducted, relief as prayed deserves to be granted. Hence, the following order :

ORDER

- (i) Application is allowed.
- (ii) The Applicant be released on bail in connection with Crime No.0176 of 2024, registered with Tuljapur Police Station, District Dharashiv 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 till conclusion of trial.

**ABHAY S. WAGHWASE,
JUDGE**

S P Rane