



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 255 OF 2025

1. Chandrakant @ Chandu Vishnu Jadhav,
Age : 28 years, Occu. : Labour,
R/o. Kaikadi Mohalla, Old Jalna,
Tq. & Dist. Jalna.
2. Suraj @ Vicky Yograj Mandole,
Age : 24 years, Occu. : Student,
R/o. Rupnagar, Ambad Choufuli,
Jalna, Tq. & Dist. Jalna. ... Applicants

Versus

1. The State of Maharashtra,
Through Officer-in-charge,
Police Station Chandanzira, Jalna
Dist. Jalna.
2. The Superintendent of Police,
Jalna, Dist. Jalna. ... Respondents.

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Mr. Sudarshan J. Salunke, Advocate for Applicants.
Mr. P. K. Lakhotiya, APP for Respondents - State.

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CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 3rd MARCH, 2025

PRONOUNCED ON : 4th MARCH, 2025

ORDER :

1. Applicants herein seek grant of bail on account of their arrest in Crime No. 0492 of 2024 registered at Chandanzira Police Station, Dist. Jalna for offence punishable under sections 309(4), 308(4), 140(2), 352, 3(5) of Bharatiya Nyaya Sanhita and under section 3/25 of Arms Act.

2. Learned counsel submitted that, applicants are behind bars since November 2024. That, they are falsely implicated. That, informant and applicants are indulging in playing gambling game in IPL match. That, there are allegation that informant was taken in a vehicle from his own house and on gun point amount was demanded. According to learned counsel, it is in fact not extortion, but some money due while playing above game. Learned counsel submitted that, it is impossible to commit offence while informant is accompanied by his driver and helper. According to him, there is something fishy. That, report is false and afterthought. That, there are allegations of use of country-made revolver. The same is already seized. That, no one has suffered any injury. Learned counsel himself submitted that, it is also his duty to point out that there are previous crimes registered against applicant Chandrakant, but those crimes are decades old and moreover, in view of law laid down by Hon'ble Apex Court that mere criminal antecedents would not be sufficient to deny bail, he urges for bail on any condition imposed by this court including daily attendance to police station till committal of the case and even thereafter to attend each and every date before the trial court.

3. Learned APP strongly opposed on the ground that,

admittedly applicants are known criminals having bad antecedents under their belt for committing serious offences by use of articles like country-made pistol. That, crimes are also registered against applicants for offence under section 307 of IPC. He further submitted that, in this case there is no reason for false implication. That, there are allegations of threatening on gun point and demanding Rs.2 crore. He further pointed out that, informant and witnesses also speak that applicants allegedly said that even if they are arrested, they would be released in couple of months and they would again see informant. Thus, according to learned APP, applicants with such attitude and temperament, do not deserve grant of bail, even if charge sheet is filed.

4. Heard. Perused the papers. FIR is at the instance of one Shlok Jagdish Agrawal and he has reported that he had been to hotel Kanak Palace on 12.11.2024, at around 5:00 p.m. to get parcel. He reported that, he called his helper Majit to come to the hotel to carry the parcel and as such both, his driver and helper reached there in 10 minutes. He further reported that, while he was sitting in the hall of the hotel, Chandu Jadhav, Vicky Mandole (present applicant nos.1 and 2) and one unknown person, initially wished him and sat near him. He has reported that, applicant no.2 whisked out pistol and handed it to the present applicant no.1 and

applicant no.2 said to informant that they have accepted contract of Rs.2 crores and asked informant, how much he can give whether Rs.1 crore or whether Rs.2 crore. When informant expressed his inability to pay such amount and when requested to ask his father, it is alleged that, they both abused him and issued threat to kill. He further reported that, in informant's vehicle, they all sat and made him to take the vehicle towards Bhokardan Naka and while going they snatched mobile of his driver and informant and was threatened to arrange money. Upon which, it is alleged that applicant no.1 said that if he informs the police, they would go in jail for 2 to 3 months, but thereafter they would be released and then they would finish him off. Informant claims that, he managed to jump from running vehicle and took shelter in a hospital and managed to call his father. On above report, crime is registered and applicants are shown to be arrested on 13.11.2024.

5. Learned APP also submitted that, *prima facie*, it appears that, applicants are dealing in gambling game on IPL match. That, money demanded seems to be proceeds of such gambling game. That, investigation is now said to be over and charge sheet is already filed. That, country-made revolver allegedly used is also said to be seized. Learned APP pointed to the criminal antecedents, but as submitted they are of the year 2017-

18 and 2023-24. Though there are criminal antecedents, in the instant case recovery is already effected and no other purpose is shown to be achieved by continuing their detention. Learned counsel for applicants had conceded to abide any conditions including daily attendance to police station i.e pre-committal and even on post committal stage. Such undertaking should take care of the apprehension expressed by learned APP about bad antecedents and further misuse of liberty. When virtually charge sheet is said to be filed, there being no plausible explanation coupled with the nature of allegation which are emerging out of alleged gambling in IPL match, which is a peculiar feature herein, relief as prayed deserves to be granted. Hence, I proceed to pass the following order :-

ORDER

- (i) The application is allowed.
- (ii) Applicants, namely (1) Chandrakant @ Chandu Vishnu Jadhav and (2) Suraj @ Vicky Yograj Mandole be released on bail in connection with Crime No. 0492 of 2024 registered with Chandanzira Police Station, Dist. Jalna on executing P.B. of Rs.15,000/- each with one surety each in the like amount.
- (iii) Applicants shall not tamper prosecution evidence.
- (iv) Applicants shall not enter the vicinity where the informant and his family members reside, till conclusion of trial.

(v) Applicants shall not leave the area of jurisdiction of the concerned police station till conclusion of trial.

(vi) Applicants shall attend the concerned police station daily and maintain personal diary of their attendance till committal of the case and thereafter, shall regularly attend each and every effective date before the trial court.

(ABHAY S. WAGHWASE, J.)