



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 276 OF 2025

Digambar Chandrakant Dharmadhikari,
Age : 28 years, Occupation Business,
R/o: Warud, Taluka Bhoom,
District Dharashiv. ... Applicant

Versus

The State of Maharashtra,
Through Police Inspector,
Railway Police Station, Nanded,
District Railway Chhatrapati Sambhajinagar. ... Respondent

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Mr. Yogesh B. Bolkar, Advocate for the Applicant.
Mr. S. B. Narwade, APP for Respondent-State.
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CORAM : ABHAY S. WAGHWASE, J.

Reserved on : 05.03.2025
Pronounced on : 06.03.2025

ORDER :

1. The applicant is seeking regular bail on account of his arrest in crime no. 852 of 2024 registered at Nanded Police Station, District Lohamarg Chhatrapati Sambhajinagar for offences punishable under Sections 304(2) of BNS.

2. Pointing to the date of arrest of the applicant as 24.12.2024, learned counsel submitted that FIR is against unknown person. It is

alleged that, main thief, who robbed a lady of her *mangalsutra* while traveling in train, allegedly sold the said ornament to the applicant who is a jeweller. That, applicant was not aware that it was stolen property. That, now investigation is over and charge sheet is already filed on 28.02.2025. That, no further recovery is to be made and as such, no purpose would be served by further detention of the applicant. For all above reasons, bail is urged for.

3. Learned APP strongly opposed on the ground that though FIR of committing theft is against unknown person, investigation revealed that present applicant is involved in similar crimes. That, he is part of a gang which commits robbery and then sells golden ornaments to him. Similar crimes are registered against him and as such, he is habitual offender.

4. Heard. Perused the papers including FIR dated 09.12.2024. Informant approached police stating that on 13.10.2024, he and his mother were travelling in Kachiguda train bearing no. 17064. That, when train was in the vicinity of signal at Pingli and when train had stopped, taking advantage of applicant's mother sleeping, some unknown person inserted his hand from the window and snatched her *mangalsutra*. On above report, crime has been registered.

5. Applicant is shown to be arrested in above crime on 24.12.2024. Allegations against him are that he has purchased stolen ornament. Case of prosecution is that he is part of the gang which indulges in committing theft and robbery and selling gold ornaments to him. Now, investigation is said to be over and chargesheet is filed in February 2025 itself. No purpose is shown to be achieved by further detention. Apprehension of misuse of liberty expressed by learned APP can be taken care of by imposing stringent conditions. Hence, I proceed to pass the following order :

ORDER

I. The application is allowed.

II. Applicant Digambar Chandrakant Dharmadhikari be released on bail in connection with Crime No. 852 of 2024 registered at Nanded Police Station, District Lohamarg Chhatrapati Sambhajinagar, on executing Personal Bond of Rs. 15,000/- with one surety in the like amount, on the following conditions :

[a] The applicant shall not tamper prosecution evidence.

[b] The applicant shall not leave the jurisdiction of the concerned police station till conclusion of trial.

[c] The applicant shall attend the concerned police station twice in every week i.e. on every Monday and Friday between 11.00 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, J.]

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