



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

958 BAIL APPLICATION NO. 21 OF 2025
WITH
CRIMINAL APPLICATION NO. 554 OF 2025

AMOL GANPAT RAUT
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Abhijit More h/f. Mr. Jadhav Madhav K.
APP for Respondent/State : Mr. S.K. Shirse
Advocate for assisting APP : Mr. R.O. Awsarmol
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CORAM : ARUN R. PEDNEKER, J.
Dated : February 11, 2025

PER COURT :-

1. Today, learned advocate Mr. R.O. Awsarmol has filed application for assisting APP. It is taken on record and the same is allowed. Mr. Awsarmol, learned advocate is allowed to assist the learned APP.
2. Heard the learned counsel for the applicant, the learned APP for the respondent-State and Mr. R.O. Awsarmol, learned advocate assisting APP.
3. The applicant is seeking bail as he was arrested in connection with Crime No. 164/2024 dated 5.4.2024 registered with Hingoli (Rural) Police Station, District Hingoli for the offences punishable under sections 394, 397, 341, 427 of I.P.C.
4. This Court by order dated 10.12.2024 in ABA No. 2043/2024 has granted anticipatory bail to the other co-accused. The present applicant was applicant No. 1 in ABA No. 2043/2023. As the present applicant was arrested, his anticipatory bail application had become infructuous and disposed of accordingly.
5. The learned counsel for the applicant submits that regular bail

application of the applicant has been dismissed by the Sessions Court, although the role of the present applicant is similar to that the other co-accused i.e. applicants Nos. 2 to 4 in ABA No. 2043/2024, to whom this Court has granted anticipatory bail. In the order dated 10.12.2024 in ABA No. 2043/2024 this Court has noted the submissions and reasons at para 7 to 10 as under :-

"7] The learned counsel appearing for the assist to Public Prosecutor submits that Section 120-B has been added subsequently. He submits that the assailants were masked at the relevant time and, as such, they could not be identified and, therefore, the present identification is necessary and their custodial interrogation is necessary.

8] Considering the submission, it is to be noted that, the applicants and the respondents are known to one and another and they are not named in the FIR. If the assailants were masked then the identification is not possible, even if the applicants are taken into custody.

9] It is also to be noted that in the instant case, the persons are already released on bail. It is also brought to the notice that 2 accused persons were arrested for the crime immediately after the offence on 07.04.2024 and they are already released on bail. They are not connected to the present applicants.

10] The learned APP submits that there is antecedents against applicants no.2 and 3. However, considering the fact that there is no material on record to connect the applicants with the crime and they are sought to be connected after a period of 6 months without any supporting material, applicants no.2, 3 and 4 deserve to be granted anticipatory bail."

6. The said order is also applicable to the present applicant. In the aforesaid order, it is observed that the names of the applicants therein are added without there being any supportive material in respect of the

applicability of section 120-B of I.P.C. Even after arrest of the applicant, there is no recovery made at the instance of the applicant. Considering the role of the present applicant which is similar to the other co-accused, who are granted anticipatory bail, I hold that regular bail can be granted to the present applicant also.

7. In view of the above, the application is allowed in the following terms :

a] The applicant shall be released on bail in connection with in connection with Crime No. 164/2024 dated 5.4.2024 registered with Hingoli (Rural) Police Station, District Hingoli for the offences punishable under sections 394, 397, 341, 427 of I.P.C., on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

b] The applicant, upon being released on bail, shall not contact the informant, in any manner whatsoever, during the pendency of the trial.

c] The applicant shall co-operate with the trial Court and he shall attend each and every date, unless exempted by the trial Court, for reasons to be recorded in writing.

d] The applicant shall not tamper with the evidence of the prosecution and he shall not influence the informant, witnesses and other persons concerned with the case.

e] The applicant, upon being released on bail, shall place on record of the trial Court the details of his Contact Number and residential address with updates in case of any change.

8. Needless to say, in case of violation of any of the aforesaid

conditions, the bail granted to the applicant shall be liable to be cancelled. It is also clarified that the observations made in this order are limited to the disposal of the present bail application. The concerned Court shall proceed further in the matter without being influenced by the observations made hereinabove.

9. The applications stand disposed of.

(ARUN R. PEDNEKER, J.)

ssc/