



{1}

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

BAIL APPLICATION NO.312 OF 2025

1. Mahadev S/o. Eknath Sakade,
Age: 37 years, Occu.: Labour,
R/o. Ghodka Rajuri,
Tq. and Dist. Beed.
2. Rajendra S/o Mahadev Sakade,
Age: 21 years, Occ.: Labour,
R/o. Godkha Rajuri,
Tq. and Dist. Beed.
3. Shoba W/o Mahadev Sakade,
Age: 35 years, Occ.: Household,
R/o. Godkha Rajuri,
Tq. and Dist. Beed.

... Applicants

Versus

1. The State of Maharashtra
Home Department (Special),
Mantralaya, Mumbai.
2. The Police Commissioner,
Police Commissioner Office,
Aurangabad.
3. The Superintendent of Police,
Central Prisoner Jalna.
4. The Police Inspector,
Police Station Sadar Bazar,
Jalna

... Respondents

.....

Ms. Vaihali R. Kalyankar, Advocate for Applicants
Mr. C.V. Bhadane, APP for Respondents - State

.....

CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 01 APRIL 2025

PRONOUNCED ON : 02 APRIL 2025

{2}

PER COURT :-

1. Instant application is for grant of regular bail on account of arrest of applicants in Crime No.0416 of 2024, registered with Sadar Bazar Police Station, Jalna, District Jalna for offences punishable under Sections 363, 370, 504, 506 read with Section 34 of the Indian Penal Code (IPC).

2. Learned counsel for applicants submitted that FIR is against unknown persons. That, there are allegations that, granddaughter aged 6 years is taken by someone. That, applicants are arrested in above crime on 03.05.2024 and 04.05.2024. She pointed out that, story of the prosecution is, victim girl was kidnapped to meant to be sold in a group of folk dance. That, now girl is back with her parents. That, investigation is over, and charge-sheet is filed in August 2024. That, no more further recovery or discovery is shown to be made, and as applicant is ready to abide all and any conditions imposed by this Court, learned counsel urges for grant of bail.

3. Learned APP opposed the bail application on the ground that, applicants have been identified. That, they were seen in CCTV footage. That, girl was picked up and meant to be sold. Learned APP also apprehends misuse of liberty.

4. Heard. Perused the FIR dated 25.04.2024, at the instance of Sushila Atmaram Shinde. She reported to the police that on the of 25.04.2024, while she was sleeping with her granddaughter in the vicinity of Jalna Bus Stand, unknown person kidnapped her granddaughter aged 6 to 7 years. On above report, crime seems to have been registered.

5. Present applicants are shown to be arrested on 03.05.2024 and 04.05.2005 i.e. almost ten days after the FIR was filed. Prosecution claims that, investigation revealed that crime was meant to be sold in a group of *Tamasa/Lavani*, which is a Maharashtrian folk dance. Now, girl is said to be back in the custody of her parents and grandmother. Now, investigation is over and charge-sheet is filed in August 2024. What is to be further recovered or discovered is not made known to this Court. It has also not been pointed out whether the matter has been committed for trial and charges have been framed or not. Taking the above nature of the accusations into consideration, apprehension of misuse of liberty is taken care of by imposing stringent conditions. Hence, the following order: Hence, the following order :

{4}

ORDER

- (i) Application is allowed.
- (ii) The Applicants be released on bail in connection with Crime No.0416 of 2024, registered with Sadar Bazar Police Station, Jalna, District Jalna on executing Personal Bond of Rs.15,000/- each with one surety in the like amount on following conditions:
 - [a] The applicants shall not tamper prosecution evidence.
 - [b] The applicants shall not leave the area of jurisdiction of the concerned police station till conclusion of trial.

**ABHAY S. WAGHWASE,
JUDGE**

S P Rane