



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 319 OF 2025

Deepak Gautam Pawar
Age: 35 years, Occu.: Labor,
R/o. Takli Ambad,
Tq.Paithan, Dist.Chhatrapati Sambhajinagar.Applicant

Versus

The State of Maharashtra
Through Chaklamba Police Station,
Tq.Georai, Dist.Beed.Respondent

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Advocate for Applicant : Mr.Kachru Ananda Ingle
APP for Respondent : Mr.S.B.Narwade

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CORAM : ABHAY S. WAGHWASE, J.

DATE : 27 MARCH, 2025

ORDER :

1. Present application is for grant of regular bail in crime no.0320 of 2023 registered at Chakalamba Police Station, District Beed for offence under Sections 395, 394, 392, 457 read with 34 of the Indian Penal Code (IPC).

2. Pointing to the date of arrest of applicant as 29-01-2024, it is submitted that applicant is behind bars since more than a year. According to learned counsel, FIR is against unknown persons regarding occurrence dated 12-11-2023 and that applicant is arrested

after two months of alleged occurrence. According to learned counsel, arrest is on suspicion. That, there is no recovery at the instance of applicant yet. He emphasized that though in this case, T.I. parade has been conducted, applicant has not been identified. Resultantly, for above reasons and as chargesheet is already filed and nothing is shown to be recovered or discovered from applicant, he urges for grant of bail.

3. Learned APP opposed application on the ground that investigation revealed that applicant was involved in committing theft of cash, gold and silver ornaments worth Rs,43,700/-. However, learned APP, while answering to Court query, conceded that applicant was not identified in T.I. parade.

4. Perused the FIR dated 12-11-2023 lodged at the instance of Prakash Pralhad Dongare, who reported Police that on 12-11-2023 at around 02:15 hours in the night, while he and his family was sleeping in the house, three unknown persons, covering their faces, entered their house and on knife point made open the cupboard and took away cash, gold and silver ornaments worth Rs.43,700/-. On above allegations crime was registered.

5. Apparently, FIR is against unknown persons. Regarding occurrence dated 12-11-2023, applicant is shown to be arrested on 29-01-2024. Prosecution does not dispute that applicant was not identified inspite of T.I.Parade being conducted. Even otherwise, applicant is behind bars for more than a year and there are no prospects shown about matter going for trial in the near future. Apprehension of misuse of liberty can be taken care of by imposing stringent condition. Hence, following order is passed. :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant Deepak Gautam Pawar be released on bail in connection with Crime no.0320 of 2023 registered with Chakalamba Police Station, Dist.Beed on executing Personal Bond of Rs.15,000/- with one surety in the like amount.
- (iii) Applicant shall not tamper prosecution evidence.
- (iv) Applicant shall not leave the jurisdiction of Chakalamba Police Station, Dist.Beed, till conclusion of trial, except for attending effective dates before the Court.

(ABHAY S. WAGHWASE)
JUDGE