



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 349 OF 2025

Sanket Mahendra More,
Age : 32 years, Occu: Agriculture,
R/o: Plot No. 177, Hanumanwadi,
Station Road, Chalisgaon,
District Jalgaon.

... Applicant

Versus

State of Maharashtra
Police Station Officer,
Chalisgaon Police Station,
Taluka Chalisgaon,
District Jalgaon.

... Respondent

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Mr. S. S. Bora, Advocate for the Applicant.
Mr. N. D. Batule, APP for Respondent-State.
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CORAM : ABHAY S. WAGHWASE, J.

Date : 04.03.2025

ORDER :

1. This is an application for grant of regular bail on account of arrest of the applicant in crime no. 09 of 2025 registered at Chalisgaon Police Station, District Jalgaon for offences punishable under Sections 190, 191(3), 125, 324(6), 351(3) of the Bharatiya Nyaya Sanhita [BNS], Sections 3, 25, 27 of the Arms Act and Sections 37(3), 37(1) and 135 of the Maharashtra Police Act.

2. Pointing to the date of arrest of the applicant as 16.01.2025, learned counsel submitted that there is false implication. That, there are mere allegations that some unknown persons came on motorcycles who had covered their faces and they fired in the air and even pelted stones on the house of informant. That, on such report, crime is registered. He submitted that since arrest, there is no test identification parade conducted. That, there are no details in the FIR about description of so called six persons. That, in fact, amongst six persons, there are two juveniles. That, there is no concrete evidence that applicant himself was amongst those persons. That, there is no recovery at his instance and rather, recovery is shown after one month from the house and that too, through alleged juvenile in conflict with law. That, there are no criminal antecedents. That, applicant is ready to cooperate with the investigation. For all above reasons, he seeks grant of bail.

3. Learned APP opposed on the ground that FIR is lodged by one Sarang Beldar reporting that on 07.01.2025 around 11.45 p.m., there was firecracker like noise and therefore when he peeped from the window, he saw six unknown persons on motorcycles. They not only opened fire by use of gun, but also pelted stones on the vehicles parked in the porch of informant's house. That, investigation revealed

involvement of present applicant. In his house search, live cartridges and a pistol were found. That, investigation is still in progress. Hence, relief is opposed.

4. Heard, Perused the papers. FIR is at the instance of one Sarang Beldar and he has reported that on 07.01.2025 around 11.45 p.m., he heard firecracker like noise and therefore, he claims to have peeped through the window and had seen six unknown persons on three motorcycles and they had covered their faces with handkerchiefs. Such persons hurled abuses and one of them held gun in the air and therefore, such occurrence was reported to police, resulting into registration of crime.

5. As submitted, police papers show that on 06.02.2025 i.e. almost a month after the FIR, house search was conducted and panchanama of the same shows that during house search, one country made pistol is allegedly seized at the instance of one juvenile named Ankit. Therefore, apparently, present applicant is not shown during house search. At least from the papers placed on record, till today no test identification parade is shown to be conducted. Investigation is said to be incomplete. Considering the nature of allegations and contents of the FIR, further investigation can be carried out by

securing presence of the applicant. Hence, I proceed to pass the following order:

ORDER

- I. The application is allowed.
- II. Applicant Sanket Mahendra More be released on bail in connection with Crime No. 09 of 2025 registered at Chalisgaon Police Station, District Jalgaon, 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 daily 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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