



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 366 OF 2025

Sonusing Balvirsing Bhond,
Age : 22 years, Occu. : Labour,
R/o. : Udananagar, Barsigate No.5,
Surat, Gujrat.

... Applicant

Versus

State of Maharashtra
Through Kandhar Police Station,
Dist. Nanded.

... Respondent.

.....
Mr. Jitendra S. Jain h/f. Mr. Mohit R. Malpani, Advocate for Applicant.
Mr. S. B. Narwade, APP for Respondent - State.

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CORAM : ABHAY S. WAGHWASE, J.
RESERVED ON : 04 APRIL 2025
PRONOUNCED ON : 09 APRIL 2025

ORDER :

1. Applicant seeks enlargement on regular bail on account of his arrest in Crime No.0186 of 2024 registered at Kandhar Police Station, Dist. Nanded for the offence punishable under sections 395, 398 and 120-B of Indian Penal Code.

2. It is submitted that, applicant was arrested in above crime on 25.06.2024 and he is behind bars since almost 10 months. Apparently, FIR is against unknown persons. In all 11 persons are made accused. That, no T.I. parade has been conducted to fix identity. That, no recovery or discovery is at the instance of present applicant.

That, this court had granted bail to other accused namely, Gurumukhsingh Tak, Arun Gore, Rajpalsingh Bhada and even Hon'ble Apex Court has granted bail to Ravindra Gondkar. Therefore, on the ground of parity also, applicant urges for grant of bail.

3. Learned APP opposed on the ground that, no FIR was against unknown persons. That, investigation revealed involvement of present applicant. Moreover, there is recovery at his instance to the tune of Rs.38,500/-. That, there are three crimes of similar nature are already registered against him and learned APP also apprehends misuse of liberty.

4. Perused the FIR dated 15.06.2024. Informant Gajanan Yerawar has reported that, on the night of 14.06.2024, when he and his family went to sleep at around 11:00 p.m., initially one person entered his hall, caught him by his collar and asked where articles are kept and threatened him. His wife also woke up. Because of given thrashing he handed over keys of the cupboard. He alleged that five to six thieves took away cash and ornaments worth of Rs.41,35,000/-. He reported that, such persons had covered their faces. On above report, crime is registered.

5. Present applicant Sonusingh is shown as accused no.4 and he is arrested on 25.06.2024 and since then he is behind bars.

Recovery is said to be effected at his instance. This court had granted bail to other co-accused. Charge sheet is said to be filed in September 2024. There is nothing to indicate whether matter is committed and whether charge is framed or not. When further course of trial uncertain and applicant is behind bars since almost 10 months and moreover when other accused are set at liberty, applicant succeeds on the ground of parity. Hence, the following order is passed :-

ORDER

I. The application is allowed.

II. Applicant Sonusing Balvirsing Bhond be released on bail in connection with Crime No.0186 of 2024 registered with Kandhar Police Station, Dist. Nanded, 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 area of jurisdiction of the concerned police station till conclusion of trial.

[c] The applicant shall attend the concerned police station thrice in every week i.e. on every Saturday, Tuesday and Thursday and maintain personal diary of his attendance till framing of charge and thereafter, shall regularly attend each and every effective date before the trial court.

(ABHAY S. WAGHWASE, J.)