



{1}

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

BAIL APPLICATION NO.405 OF 2025

Balasaheb S/o Dagadu Badhe,
Age: 23 years, Occu.: Agriculture,
R/o. Manur, Tq. Shur,
Dist. Beed.

... Applicant

Versus

The State of Maharashtra,
(Through Karjat Police Station
Taluka Karjat and District Ahmednagar)

... Respondent

.....

Mr. Prashant P. Giri, Advocate h/f Ms. Sushmita V. Dound,
Advocate for Applicant

Mr. S.B. Narwade, APP for Respondent – State

.....

CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 21 MARCH 2025

PRONOUNCED ON : 24 MARCH 2025

PER COURT :-

1. Applicant seeks grant of regular bail on account of his arrest in Crime No.25 of 2025, registered with Karjat Police Station, District Ahmednagar for offences punishable under Sections 309(6) of Bharatiya Nyaya Sanhita (BNS) and under Sections 3, 25 of Arms Act, 1959.

2. Learned counsel for the applicant pointed out that, applicant is arrested in above crime on 31.01.2025 regarding occurrence, which had taken place on 18.01.2025. Learned

{2}

counsel pointed out that allegations are that, informant was intercepted by unknown persons, chilly power was thrown resulting into scuffle, and thereafter, other persons allegedly joined the said persons and when shouts and cries were raised, due to commotion, people was attracted and as people were gathering, it is alleged that, these persons fled. Learned counsel submitted that one country made revolver was found at the spot. Therefore, on above report crime has been registered. Learned counsel submitted that, accused Rahul and Shubham were arrested at later point of time, and they have named some persons including the present applicant. Thus, according to learned counsel, there is false implication.

3. Learned APP opposed the application on the ground that that serious offence is committed by the applicant. That present applicant is habitual, and several crimes stated to be registered against him. According to learned APP, investigation is still in progress. Therefore, he prays for rejection of application.

4. Heard. Perused the FIR dated 18.01.2025. Informant Ramraje Nevse reported, who reported police that, on 18.01.2025, at around 09:00 a.m., when he was proceeding on his bullet motorcycle along with cash of Rs.1,50,000/-, he was

{3}

approached by a person on a motorcycle by two persons, who had covered their faces, and with intention to snatch the cash bag, chilly power was allegedly sprinkled on his face and attempt was made to snatch the bag. However, he managed to scuffle with them, and at that time, those persons tried to flee, at that time, revolver fell from one of them, and he also came to pick it up, but again fell. Thus, on above report crime has been registered.

5. It is clear that attempt was made to snatch the bag has failed. Report is apparently against unknown persons. Learned APP did not point out whether any test identification parade has been conducted. He merely claims that CDR shows conversation and contact between accused persons including present applicant, and moreover, there is thrust on criminal antecedents.

6. Taking the above material into consideration, and as applicant is behind the bars since January 2025 regarding occurrence, which had taken place on 18.01.2025, further investigation can be carried out by securing the presence of the applicant, relief as prayed deserves to be granted. Hence the following order:

{4}

ORDER

- (i) Application is allowed.
- (ii) Applicant Balasaheb S/o Dagadu Badhe,, be released on bail in connection with Crime No.25 of 2025, registered with Karjat Police Station, District Ahmednagar on executing Personal Bond of Rs.15,000/- with one surety in the like amount on 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, without prior permission of the Court.
 - [d] The applicant shall attend the concerned police station everyday between 10:00 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,
JUDGE**

S P Rane