



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 607 OF 2025

Yogesh Prakash Sonawane
Age : 31 Years, Occupation : Service,
R/o. : Parvati Nagar, Dhudale,
Taluka and District Nandurbar.

... Applicant
[Accused No.1]

Versus

The State of Maharashtra,
Through Police Inspector,
Police Station Nandurbar Taluka,
District Nandurbar.

... Respondent.

.....
Mr. G. D. Jain, Advocate for the Applicant.
Mr. N. D. Batule, APP for Respondent-State.

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CORAM : ABHAY S. WAGHWASE, J.

DATE : 22.04.2025

ORDER :

1. This is an application for enlargement on regular bail on account of arrest of applicant in crime no. 350 of 2024 registered at Nandurbar Taluka Police Station, District Nandurbar for offences punishable under Sections 105 and 3(5) of the Bharatiya Nyaya Sanhita (BNS).

2. Pointing to the date of arrest as 20.03.2025, learned counsel submitted that there was a mishap. While working, deceased suffered electric shock. Occurrence is of 26.11.2024, but report is lodged on 27.11.2024. He further pointed out that initially, merely notices were issued to the accused stating that he would not be arrested. However, subsequently he came to be arrested. Now, investigation is over and charge is already filed. That, there is no recovery or discovery to be made at applicant's instance and therefore, considering the nature of allegations, no purpose would be served by further detention of the applicant. As applicant is ready to abide all conditions imposed by this Court, learned counsel urges for grant of bail.

3. Learned APP opposed on the ground that, even when deceased was not willing to go for work, he was forcibly taken and made to do the work for which he was not skilled or qualified. That, he suffered electric shock and fell. Therefore, in view of nature of allegations, learned APP opposed grant of bail.

4. Heard. Perused the papers. FIR dated 27.11.2024 is at the instance of one Vimalbai and its substance is that on 26.11.2024, in the afternoon, her husband returned home, took meals and went to

sleep. Shortly thereafter, three wiremen known to her husband, namely, Yogesh (present applicant), Ganesh and Vasant came on two motorcycles and they gave call to her husband asking him to come to solve an electric problem. She further reported that her husband was not willing but he was forcibly taken. At around 4.00 p.m., news was received that her husband received electric shock, fell and died. Hence the report.

5. Now, investigation is over and charge sheet is filed. There is no explanation from the prosecution as to why further custody of the applicant is required. No recovery or discovery is shown to be made at his instance. Charge sheet is already filed. There being no immediate prospects of matter going for trial, relief as prayed deserves to be granted. Hence, I proceed to pass the following order :

ORDER

I. The application is allowed.

II. Applicant be released on bail in connection with Crime No. 350 of 2024 registered at Nandurbar Taluka Police Station, District Nandurbar, 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 once in every week i.e. on every Monday 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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