



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

BAIL APPLICATION NO. 716 OF 2025

Sandip s/o Kedarsinh Pardeshi
Age: 27 years, Occu.: Labour,
R/o. Murshadpur, Post.Ashti,
Tq.Newasa, District Ahmednagar.

....Applicant

Versus

The State of Maharashtra
Through Police Inspector,
Newasa Police Station,
Tq.Newasa, District Ahmednagar.

.....Respondent

.....
Advocate for Applicant : Mr.Mahesh S.Taur
APP for Respondent : Mr.S.B.Narwade

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CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 07 MAY, 2025

PRONOUNCED ON : 08 MAY, 2025

ORDER :

1. Present application is for grant of regular bail on account of arrest of applicant in crime no.0776 of 2024 registered at Newasa Police Station, District Ahmednagar, for offence under Sections 109, 61(2), 3(5) of the Bharatiya Nyaya Sanhita.

2. It is submitted that applicant was arrested in above crime on 20-12-2024. That, there are allegations of hatching conspiracy and

attempt to commit murder, but there is no convincing evidence. That, there are allegations of contract killing, but nothing incriminating came in entire chargesheet or supplementary chargesheet. According to learned counsel, there is possibility of road traffic accident and nothing beyond it. He further pointed out that co-accused is granted bail. That, statements of two witnesses are recorded, but they have not named present applicant. That, implication is on confessional statement of arrested accused. That, chargesheet having been filed and there being no immediate prospects of matter going for trial in near future, learned counsel urges for grant of relief.

3. While opposing, learned APP pointed out that informant has received information about dash being given by a Bolero Car. That, there is no eye witness account, but there is CCTV footage. That, victim injured was chased and then given dash. He pointed out that there is CDR also to connect applicant to offence under Section 120-B of the IPC. Learned APP pointed that a new vehicle was purchased specifically to execute the designed plan and then vehicle was found to be got repaired and there is evidence to that extent. Therefore, considering such nature of allegations, learned APP opposed bail

application.

4. Heard. Perused the papers. FIR dated 17-08-2024 is at the instance of one Shruti Pokharkar, resident of Sangamner. She reported Police that she has a cousin brother namely Shantanu Popat Wagh, who resides at Newasa (Khurd). She claims that on 16-08-2024, she got a call from such cousin, who was in terrified condition and he allegedly told her that one white Bolero is chasing him and thereafter, phone got disconnected. She again claims that after a short while, she got a phone call from his cousin's phone number, but unknown person was talking over it and he informed that her cousin has been given dash by a Bolero vehicle on Sambhajinagar road near Ghadge Patil School and he is lying in injured condition. Consequently, she claims to have gone there and further claims to have learnt from her father that her cousin's Motorcycle was chased by a Bolero vehicle and the chase and dash was witnessed by one person namely Sandip Dandgavhane and that, her cousin was taken to hospital for treatment. She further claims to have learnt from her other cousin Manish that on 16-08-2024, friends of her cousin Shantanu checked CCTV footages, which show that one white Bolero gave chase to Motorcycle of cousin Shantanu till

Trimurti College and that Driver of the Bolero vehicle did not attempt to apply brakes and so she lodged report against unknown person. She further claims that it was subsequently learnt that in March month itself, Shantanu was warned to remain alert and hence, she has lodged report against driver of the Bolero vehicle.

5. On Court query whether statement of injured Shantanu is recorded, learned APP pointed out that his statement is not in the chargesheet. Injured was the best person to disclose whether occurrence took place after giving deliberate chase or otherwise. Statement is then made by learned APP that injured is not in a position to give statement.

Learned APP also opposed application on the ground that there are two antecedents against present applicant and even spot panchanama shows that it was a deliberate dash and not an accident.

6. Considering the above submissions, primarily incident is of giving dash. Whether it was deliberate dash or otherwise, would be considered only at the time of trial. Now investigation is over, chargesheet is reported to be filed. As co-accused is granted bail, on the ground of parity also, relief of bail deserves to be granted.

Hence, following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant be released on bail in connection with Crime no.0776 of 2024 registered with Newasa Police Station, District Ahmednagar, on executing Personal Bond of Rs.20,000/- with one surety in the like amount.
- (iii) Applicant shall not tamper prosecution evidence.
- (iv) The applicant shall not enter the vicinity where informant, her family resides, till conclusion of trial, except for attending Court dates.
- (v) Applicant shall not leave the jurisdiction of concerned Police Station, till conclusion of trial, except for attending Court dates.

(ABHAY S. WAGHWASE)
JUDGE