

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 1464 OF 2025

Sumit Bihari Dilaware

VERSUS

The State Of Maharashtra

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Advocate for Applicant : Mr. Sonkawade Amarsinha Dharmaraj

APP for Respondent/State : Mr. D.J. Patil

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CORAM : MEHROZ K. PATHAN, J.

DATED : NOVEMBER 12, 2025

PER COURT :

1. Heard Mr. Sonkawade, learned counsel for the applicant and learned APP for the State.
2. The applicant has approached this Court seeking regular bail in Crime No.426/2023 registered with Anandnagar Police Station, Dharashiv for the offences punishable under Sections 395, 120(B), 342, 412, 201, 75 of the Indian Penal Code and Sections 3, 25 of the Arms Act.
3. The case of the prosecution is that the complaint is reported by cashier of Jyoti Co-operative Credit society Ltd. Branch Dharashiv. It is alleged on 23.12.2023 at about 04.00 p.m. while complainant alongwith Manager and other bank staff were in the office doing their routine work, at the relevant time, at about 5.30 hours two unknown person entered in the bank and three others followed then and directly went towards the cabin of Manager. Out of

the two, one of them caught hold of the collar of complainant and placed gun near his ear and forced the complainant to go towards Manager alongwith him the three others were already in the cabin of the Manager, one of them was armed with knife, others were having pistol. The Manager was threatened with gun point. The Manager and other employees were tied and their mouth taped by cellotape. All the miscreants threatened the complainant and other employees with dire consequence and were not allowed to move. It is alleged one of the miscreants entered into the cabin of cashier and removed the cash of Rs.1,40,000/- notes of different denominations and forced to open the locker containing gold ornaments weighing 4,126 grams total worth Rs.1,85,68,000/- and placed in a sack bag and while leaving they also took mobile phones and personal belongings of the complainant and manager and left the bank by shutting down the shutter of the bank. All the perpetrators were speaking well in Marathi language. The description of all the perpetrators with their dress code and physical appearances were reported to the police and accordingly complaint came to be lodged against unknown person for robbery.

Pursuant to the investigation present applicant/accused and other associates came to be arrested. The bank robbery is committed in day light by trespassing into the bank robbing the cash and gold ornaments. This type of robbery is definitely executed by a

pre-planned and criminal conspiracy. Huge amount of cash and gold ornaments and gold ornaments are robbed. Some portion of ornaments are recovered. Out of the gold ornaments, some are melted and their plates (lagad) are made out of it. During the investigation, the various mobile phones, sim cards, pendrives are also recovered.

4. It is the submission of the learned counsel for the applicant that the applicant is arrested on 16.03.2024. Though the applicant is implicated as an accused, nothing incriminating is recovered at the instance of the present applicant. It is his further submission that the charges are yet not framed in the learned Trial Court and that the trial will take its own time to conclude. Hence, the applicant shall be released on bail.

5. Learned counsel for the applicant further submits that another accused in the present crime being Udayan Belaudayan Vallikalail who had approached the Hon'ble Supreme Court after rejection of his bail by this Court, has been granted bail. He placed on record a copy of the order passed by the Hon'ble Supreme Court dated 07.10.2025 in the case of **Udayan Belaudayan Vallikalail Vs. The State of Maharashtra**. The same is taken on record and marked 'X' for identification. Perusal of the said order passed by the Hon'ble Supreme Court would show that identically placed accused Udayan has also approached the Hon'ble Supreme Court and raised the ground that there is no recovery of any incriminating material from

the said accused Udayan in the present crime and that he was in jail since 03.01.2024 and there is no likelihood of trial being concluded in immediate future. The Hon'ble Supreme Court thus has considered the period of incarceration and likelihood of trial being not concluded in near future was pleased to release the said accused Udayan.

6. Learned APP also does not dispute that the applicant stands on the same footing as that of the applicant/accused who has already been released on bail by the Hon'ble Supreme Court. In that view of the matter, as the applicant is reported to have been identically placed to that of accused Udayan and the applicant came to be arrested on 16.03.2024, and that there is no recovery of any incriminating material from the present applicant Sumit, I am inclined to release the present applicant on bail. The apprehension of the learned APP that the applicant being a resident of Madhya Pradesh, would not attend the trial can very well be taken care of by imposing stringent conditions on the applicant. Hence, the following order :

ORDER

(i) Applicant – Sumit Bihari Dilaware, be released on regular bail on furnishing P.R. bond of Rs.1,00,000/- (Rupees One Lakh) with one or two local solvent sureties in the like amount, in connection with Crime No.426/2023 registered with Anandnagar Police Station, Dharashiv for the offences punishable under Sections 395, 120(B),

342, 412, 201, 75 of the Indian Penal Code and Sections 3, 25 of the Arms Act on the following conditions :

- (a) The applicant shall not leave the jurisdiction of District Dharashiv without leave of the learned Trial Court.
- (b) The applicant is directed to attend the concerned police station and report to the Investigating Officer between 10:00 a.m. to 12:00 p.m. on 1st day of each month till framing of charge.
- (c) The applicant shall attend each and every date of the Trial Court without fail unless exempted by the Trial Court on emergent consideration.
- (d) The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
- (e) The applicant shall submit his Aadhar and Pan Card to the Investigation Officer and detailed addresses and phone numbers of applicant and two of the near relatives.
- (f) The application stands disposed of.

(MEHROZ K. PATHAN, J.)