



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

968 BAIL APPLICATION NO. 1849 OF 2025

Jagdish Vasant Kale
VERSUS
The State of Maharashtra

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Advocate for Applicant : Ms. Khan Sultana Rahim with Mr. S.G.
Bobade and D.A. Paikrao
APP for Respondents: Mr. N.B. Patil

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CORAM : SANJAY A. DESHMUKH, J.
DATED : 14th OCTOBER, 2025.

PER COURT :-

1. This is an application for granting regular bail under section 483 Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 in connection with crime No. 155 of 2025 registered with Waluj police station, District Chhatrapati Sambhajinagar for the offences punishable under Sections 310(2) and 331(7) of the Bharataya Nyaya Sanhita, 2023.

2. Learned advocate for the applicant pointed out the report in which it is averred by the informant that on 19.5.2025 at about 1.00 p.m. somebody knocked the door of his house. At that time, sister-in-law of the informant opened the door. She saw that 7 to 8 unknown persons, wearing jackets and T-shirts, came there. They started assaulting them by wooden logs. They snatched gold ornaments from the persons of mother and wife of the informant. The informant

ran away to the village and brought his cousin. Meanwhile, all these persons ran away. A dacoity of Rs.33,000/- was committed and therefore, the report was lodged.

3. Learned advocate for the applicant submitted that the applicant has been falsely implicated in the crime. The applicant has roots in the society. He has no criminal antecedents. He will not flee away from the trial. The trial will take a long period. The applicant is entitled for bail on the principle of parity. Learned advocate for the applicant lastly prayed to allow the application.

4. Learned A.P.P. for the respondent-State has strongly opposed the application and submitted that the applicant is booked for serious crime of dacoity and assault. Total 25 gold gems are seized at the instance of the applicant. Though other co-accused are released on bail, the applicant's involvement in the crime is established from seizure Panchanama. The applicant is likely to commit similar nature of crime, if he is released on bail. It is lastly prayed to reject the application.

5. The applicant is 20 years old married person. He has roots in the society. He will not flee away from the trial. He has no criminal antecedents. The trial will take a long period. Therefore, without

adverting to the merits of the case, the application deserves to be allowed on the principle that bail is rule and jail is exception. Considering all these aspects, the application deserves to be allowed on certain conditions. Hence, the following order.

O R D E R

- I. Application is allowed.
- II. The applicant in connection with crime No. 155 of 2025 registered with Waluj police station, District Chhatrapati Sambhajinagar be released on bail on furnishing personal bond of Rs.25,000/- with one surety of the like amount on following conditions:-
 - a) The applicant shall not tamper with the prosecution evidence and shall not pressurize the witnesses, in any manner.
 - b) If the applicant is involved in similar nature of crime, the trial court is at liberty to cancel his bail even though he is released on bail by this Court, on the application of any one, including the informant, the A.P.P. or the police.
 - c) The applicant shall not enter in entire area of Waluj, Tq. Gangapur, district Chhatrapati Sambhajinagar, till the conclusion of trial.

(SANJAY A. DESHMUKH, J.)