



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO.1970 OF 2024

1. Suresh Gopichand

Age: 52 years, Occu.: Driver

R/o. Hiroda Agra

State of Uttar Pradesh

2. Arjunkumar S/o Ashokkumar

Age: 23 years, Occu.: Driver,

R/o. Balaji Bujurg Kanpur,

State of Uttar Pradesh.

... Applicant

Versus

1. The State of Maharashtra

Through Officer In charge,

Police Station Neknoor,

Dist. Beed, Dist. Beed.

... Respondents

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Mr. S.E. Shekade, Advocate for Applicant

Mr. P.K. Lakhotiya, APP for Respondent – State

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CORAM : ABHAY S. WAGHWASE, J.

DATED : 04 FEBRUARY 2025

ORDER :

1. Applicants seek their enlargement on bail on account of their arrest in Crime No.0147 of 2024 registered at Neknoor Police Station, District Beed for offences punishable under Sections 363, 365, 323, 506 read with Section 34 of the Indian Penal Code (IPC).

2. Learned counsel for applicants submitted that applicants are

behind the bars since 16.06.2024. That, FIR is at the instance of Gopinath Navnath Chavan. That, there are allegations against them that a boy attempted to be kidnapped in their Truck. That, the said vehicle was alleged to be chased by his relative. On the report to that extent, above crime was registered at Neknoor Police Station. That, now investigation is over and charge-sheet is already filed in August 2024. That, nothing is shown to be recovered or discovered at the instance of applicants, and hence, learned counsel seeks grant of bail.

3. Learned APP opposed the application on the ground that, applicants are apprehended red handed after chasing the truck from which a boy was picked. Moreover, he expressed apprehension that, applicants are from other State and there is every possibility of misuse of liberty, if at all relief prayed is granted.

4. Heard both the sides. After considering the submissions of both the sides, and on going through papers, crime No.0147 of 2024 seems to have been registered on report lodged by one Gopinath Chavan at Neknoor Police Station. He has reported to police on 16.06.2024 that, he has nephews aged 17 and 14 years respectively. On 16.06.2024, at around 4:30 p.m. he saw one truck halted near his nephew over Manjarsumba to Chausal road. Two persons came out of the Truck and forcibly took up his nephew and he was taken in the Truck at high speed.

Informant claims that, chase was given to the truck and it was intercepted near Malkapur Phata. Police was also informed. Therefore, on above report, police seem to have registered above crime for offences punishable under Sections 363, 323, 506, 34 of IPC.

5. Now, relief is sought on the ground that the applicant is behind the bars since more than nine months, and charge-sheet is also filed in August 2024 itself. This aspect is not refuted by the learned APP. However, concern of learned APP is that applicants are from other State. Taking the same into consideration and when nothing is shown to be further recovered or discovered at the instance of applicants, relief as prayed deserves to be granted. Hence, the following order :

ORDER

(i) Application is allowed.

(ii) Applicants Suresh Gopichand and Arjunkumar S/o Ashokkumar be released on bail in connection with Crime No.0147 of 2024 registered at Neknoor Police Station, District Police Station, District Beed on executing Personal Bond of Rs.15,000/- each with one local surety each in the like amount on following conditions:

- (a) Applicants shall not leave Neknoor City till conclusion of trial without prior permission of the Court.
- (b) Applicants shall not tamper prosecution evidence.
- (c) Parties to act upon authenticated copy of this order.

**ABHAY S. WAGHWASE,
JUDGE**

S P Rane