



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

933 BAIL APPLICATION NO. 2170 OF 2025

1. SINDHU VIRU RAKHADE
2. DEVAKABAI MANISH HATAAGADE
3. CHHAYA GOVIND HATAGADE
4. BHARATI KALIN NADE
5. POOJA PANKAJ LONDHE
6. NANDINI GULSHAN RAKHADE
7. UJWALA SHIVA SAKAT
8. VARSHA NILESH KHANDARE
9. SAGAR RAMESH DONGARE
10. NITIN JAGDISH SAMUDRE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicants : Mr. Shaikh Majit S.

APP for Respondent/State : Mr. R.D. Raut

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CORAM : MEHROZ K. PATHAN, J.

DATE : 27th NOVEMBER 2025

PER COURT :

1. The Applicants have approached this Court, praying for regular bail in connection with Crime No.553/2025 registered with the Loni Police Station, Ahilyanagar for the offences punishable under Sections 310(5), 310(4), 3(5) of Bhartiya Nyaya Sanhita, 2023.

2. The case of the prosecution is that the Applicants were

found preparing to commit a dacoity in Maha Shiv Puran festival which was conducted on 12.10.2025.

3. Insofar as the Applicant No.4/Bharti Kalin Nade; Applicant No.5/Pooja Pankaj Londhe and Applicant No.8/Varsha Nilesh Khandare are concerned, when the Court was not inclined to entertain their applications, as they were having several criminal antecedents of the offences in like nature, the learned Counsel Mr. Majit Shaikh for the Applicants, seeks permission to withdraw the application.

. Hence permission is granted. The application is disposed of as withdrawn to the extent of Applicant No.4/Bharti Kalin Nade; Applicant No.5/Pooja Pankaj Londhe and Applicant No.8/Varsha Nilesh Khandare with liberty to them to take appropriate steps after filing of the charge-sheet.

4. Insofar as the case against Applicant No.1/Sindhu Rakhade is concerned, the learned Counsel for the Applicants Mr. Majit Shaikh submits that she is suffering from ill-health and that the only criminal antecedent against her is one offence registered in the year 2016. It is further submitted that she is ready to abide by the conditions that may be imposed by this Court. He tenders on record the Say of the prosecution filed before the learned Sessions Court against all the accused in present application and the same is taken on record and marked 'X' for identification.

. Insofar as other accused Applicant Nos. 2, 3, 6, 7, 9 and 10

are concerned, it is submitted that the Applicants were attending the said festival along with their family members and other villagers, and had no intention to commit dacoity. However, solely on the basis of certain suspected movements seen in the CCTV footage installed for the festival, the Applicants came to be arrested. The material found by the police authorities during the personal search of the Applicants and the search of the vehicle consisted of articles ordinarily found in every vehicle or in the possession of common people. The Applicants have no criminal antecedents and had come all the way from their villages to attend the Maha Shiv Puran festival, but were arrested merely on suspicion. The custodial interrogation of the Applicants has already been conducted by the Investigating Authority, and nothing incriminating has been found against them.

5. As against this, the learned APP submits that the Applicants had no business to be present at the festival. They were seen in the CCTV footage engaging in suspicious movements, and accordingly the police authorities caught them red-handed with the seized articles.

. The learned APP vehemently opposes the application on the ground that the Applicants though are not involved in any other case earlier, however the Applicants if released on bail, there is every likelihood that the Applicants may again indulge in similar offences of attempt to commit dacoity or robbery as they were found with the article which are normally used for committing such crimes. The Applicants were found in the crowd engaging in suspicious

movements and appeared to have the intention to commit robbery or dacoity on the large gathering assembled to celebrate the festival of Maha Shiv Puran. The learned APP therefore submits that the investigation is yet to be completed and that there is every likelihood of the Applicants tampering with the prosecution evidence or absconding to defeat the ends of justice. The applications may therefore be rejected.

6. I have gone through the allegations in the FIR and the say filed by the prosecution in the case of all the Applicant Nos. 2, 3, 6, 7, 9 and 10. The Perusal of the say filed by the prosecution before the learned Sessions Court on 13.10.2025 would show that against the Applicants, namely Devkabai, Chaya, Nandani, Ujwala, Sagar, and Nitin, there are no criminal antecedents to their discredit. The recovery shown is as follows:

- (1) Sindhu Rakade – Rs.15,000 in cash and one blade pan;
- (2) Devakabai – Rs.8,500 in cash, one blade pan, and one mobile phone;
- (3) Chaya – Rs.1,800 in cash and one cutter;
- (4) Nandini – Rs.1,800 in cash and one cutter;
- (5) Ujwala – Rs.1,200 in cash and one cutter;
- (6) Sagar – one Swift Dzire car bearing registration no. MH32AS5790 and one mobile phone;
- (7) Nitin – one Swift Dzire car bearing registration no. MH32AH9784, one knife, and one mobile phone.

7. Thus taking into consideration the above recoveries from all the Applicants i.e. Applicant Nos. 2, 3, 6, 7, 9, and 10, it can be seen that no golden ornaments or other valuables were seized from the accused persons. The raid was conducted on 12.10.2025 at 07:30 pm., however, the FIR shows that the Maha Shiv Puran festival addressed by Pandit Mishra was organized on the same day at about 08:00 a.m. and concluded by 05:00 p.m. There are no details in the FIR indicating that any devotees were robbed of their valuable articles, ornaments, or cash in the large gathering that had come to attend the Maha Shiv Puran festival. It appears that they were arrested merely on suspicion.

8. The custodial interrogation of the Applicants has already been conducted, and they were sent to magisterial custody long back. Further custody of the Applicants therefore would not yield any fruitful purpose. The apprehension of the learned APP that the Applicants, being residents of different areas, may not be available for trial can be addressed by imposing stringent conditions, including the requirement of providing one local surety.

9. Taking into consideration the advanced age of Applicant No.1/Sindhu Rakhade, and the fact that there is only one criminal antecedent against her, I am inclined to release the Applicant Nos. 1, 2, 3, 6, 7, 9, and 10 on bail. The apprehension of the learned APP can be taken care of by imposing certain conditions upon the accused person. Hence, the following order :

ORDER

- (a) The Bail Application is allowed.
- (b) The Applicant No.1/Sindhu Viru Rakhade; Applicant No.2/Devakabai Manish Hataagade; Applicant No.3/Chhaya Govind Hatagade; Applicant No.6/Nandini Gulshan Rakhade; Applicant No.7/Ujwala Shiva Sakat; Applicant No.9/Sagar Ramesh Dongare; Applicant No.10/Nitin Jagdish Samudre, they be released on bail on furnishing P.B. of Rs.25,000/- (Rupees Twenty Five Thousands) each with one local surety of the like amount, in connection with Crime No.553/2025 registered with the Loni Police Station, Ahilyanagar for the offences punishable under Sections 310(5), 310(4), 3(5) of Bhartiya Nyaya Sanhita, 2023, on the following conditions:
- (i) Applicant Nos. 1, 2, 3, 6, 7, 9, and 10 shall attend the concerned police station on every Sunday between 11:00 am. to 02:00 pm., till framing of the charge.
 - (ii) They shall attend each and every date of the trial Court without fail unless exempted by the trial Court on emergent consideration.
 - (iii) They shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
 - (iv) They shall submit their Aadhar and PAN Card to the Investigating Officer and detailed addresses and phone numbers of themselves and two of the near relatives.
 - (v) A single violation of the conditions would entitle the

prosecution to seek cancellation of bail.

(c) The Application stands disposed of accordingly.

MEHROZ K. PATHAN
JUDGE

NATJEB..