



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

BAIL APPLICATION NO. 2218 OF 2025

BHAURAO UTTAM GAIKWAD
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Cedric D. Fernandes
APP for Respondent : Mr. V. M. Chate
...

CORAM : SACHIN S. DESHMUKH, J.

DATE : 10-12-2025

PER COURT:-

1. The applicant is seeking regular bail in Crime No.708 of 2025 registered with MIDC Waluj Police Station, Chhatrapati Sambhajnagar, dated 19.07.2025, for the offences punishable under Sections 310(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 135 of the Maharashtra Police Act. In connection with the crime, the applicant is arrested on 29.07.2025 and the chargesheet is filed on 16.10.2025.

2. The case of the prosecution is that on 15.07.2025 at about 3.05 a.m. four unknown persons by showing knife to the watchman looted copper bobbins total worth of Rs.7,97,600/- from the informant's factory. Hence, the report is lodged.

3. Learned counsel for the applicant submits that the applicant is differently abled person. The investigating officer has

implicated the applicant since the vehicle allegedly used in the crime was seized from him. Co-accused Amol and Santosh are released on bail by the trial Court. The stolen material is already recovered. Even the test identification parade of the accused person is also not conducted. Hence, the applicant prayed bail on ground of parity.

4. Learned A.P.P. has opposed the application and submitted that the applicant with co-accused had committed the offence of robbery. Hence, prayed to reject the application.

5. Perusal of the record indicates that the recovery of stolen material is already effected. Moreover, in absence of test identification parade, *prima facie* case is made out to consider bail application. Equally, since other accused having similar role are enlarged on bail, the applicant is entitled for the same.

6. Nevertheless, the investigation of the crime is complete and the chargesheet has been filed. Thus, there is nothing to be recovered at the instance of the applicant. Considering that the applicant is specially abled person, no fruitful purpose would be served by keeping the applicant behind the bars for indefinite period.

7. Hence, the order:-

ORDER

- (i) Bail application is allowed.
- (ii) Applicant Bhaurao Uttam Gaikwad be released on bail, on furnishing PB and SB of Rs.50,000/-, with one solvent surety of the like amount, in Crime No.708 of 2025 registered with MIDC Waluj Police Station, Chhatrapati Sambhajnagar, dated 19.07.2025, for the offences punishable under Sections 310(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 135 of the Maharashtra Police Act, on the conditions that,
 - (a) The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
 - (b) The applicant shall attend the trial on each and every date unless exempted by the trial Court.
 - (c) 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.
 - (d) In case of breach of any of the conditions by the applicant, it is open for the Prosecution to move this Court seeking cancellation of bail.
- (iii) Needless to state that the observations rendered herein are to the extent of this application and the trial court shall not be influenced by the same.

[SACHIN S. DESHMUKH]
JUDGE