



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

BAIL APPLICATION NO. 2345 OF 2024

Ashokkumar Saran Bhisnoi @ Ashok Kumar Kesaram
Age: 23 yrs., Occu.: Driver,
R/o.57, Nehada Ki Dhani, Nehra,
Dist.Pali, Rajsthan.

....Applicant

Versus

The State of Maharashtra

..Respondent

.....
Advocate for Applicant : Mr. Satej S. Jadhav
APP for Respondent : Mr.V.M.Jaware
.....

CORAM : ABHAY S. WAGHWASE, J.

DATE : 04 FEBRUARY, 2025

ORDER :

1. Applicant seeks grant of regular bail on account of his arrest in crime no.0151 of 2024 registered at Osmanpura Police Station, Chhatrapati Sambhajinagar / Aurangabad, for the offence under Sections 303(2), 61(2), 3(5) of the Bharatiya Nyaya Sanhita (BNS).
2. Learned counsel pointed out that there are allegations of committing theft of four wheeler vehicle and on report dated 27-08-2024, applicant is arrested on 10-09-2024. He was said to be

apprehended with the vehicle. Now, vehicle is already seized. He pointed out that sentence for the offence, even if applicant is tried and held guilty, is maximum three years. That, now investigation is also over and when further custody is not required, he seeks enlargement on bail.

3. Learned APP, who opposed the bail application, pointed out that applicant is apprehended with the vehicle, which he had stolen. That crime of similar nature is committed at Baramati and for such reason, he opposed bail application.

4. After considering the above submissions and on going through the papers, it seems that report was lodged at Osmanpura Police Station, Chhatrapati Sambhajinagar on 27-08-2024 for alleged theft of Hyundai make four wheeler vehicle. Applicant was arrested on 10-09-2024 while he was with the vehicle on the borders of Rajasthan and Gujarat States. Now, as submitted, vehicle is also seized. Investigation is said to be over. Why applicant's further custody is required, is not explained. Though, there is one crime at his credit, learned counsel for the applicant made a statement across

the bar that applicant has no concern with the same. Learned APP has not placed any document on record to substantiate applicant's involvement in similar crime.

Therefore, in the light of above material, when there is nothing shown to be recovered or discovered at the instance of applicant, relief as prayed deserves to be granted. Hence, the following order :

ORDER

- (i) Application is allowed.
- (ii) Applicant Ashokkumar Saran Bhisnoi @ Ashok Kumar Kesaram be released on bail in connection with Crime no.0151 of 2024 registered with Osmanpura Police Station, Chhatrapati Sambhajnagar on executing Personal Bond of Rs.15,000/- with one surety in the like amount.
- (iii) Applicant shall not tamper prosecution evidence.

(ABHAY S. WAGHWASE)
JUDGE