



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 103 OF 2025

Govind Tukaram Aarya,
Age : 24 years, Occ: Labour,
R/o. Agala Fatya, Chaitali,
Tq. Niwali, Dist. Barwani,
Madhya Pradesh.

... Applicant

Versus

The State of Maharashtra,
Through Investigation Officer,
Jamner Police Station,
Tq. Jamner, Dist. Jalgaon.

... Respondent

**WITH
BAIL APPLICATION NO. 2368 OF 2024**

Ikram @ Vikram Ganpat Vaskale @ Barela,
Age : 33 years, Occ: Labour,
R/o. Bhila Falya Nandiya, Tq. Shendava,
Dist. Badwani (MP).

... Applicant

Versus

The State of Maharashtra,
Through Police Inspector,
Police Station, Jamner,
Tq. Janmer & Dist. Jalgaon.

... Respondent

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Ms. Rani Kailas Agrawal, Advocate for the Applicant in Bail
Application No. 103 of 2025.
Mr. Shantaram R. Dheple, Advocate for the Applicant in Bail
Application No. 2368 of 2024.
Mr. N. D. Batule, APP for Respondent-State in both Applications.

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CORAM : ABHAY S. WAGHWASE, J.

DATE : 24.02.2025

ORDER :

1. Both applications are for grant of regular bail on account of arrest of the respective applicants in crime no. 297 of 2024 registered at Jamner Police Station, District Jalgaon for offences punishable under Sections 395, 397, 120-B r/w 34 of IPC.

2. Learned counsel for the applicants in both applications made common submissions that applicants are arrested on the same date. That, FIR is against unknown persons. That, they are not amongst those persons who are apprehended by police, but are arrested later on. That, no test identification (TI) parade has been conducted. That, nothing further is to be recovered or discovered at their instance and charge sheet is already filed in September 2024 itself. Hence, they question further continued custody.

3. Learned APP pointed out that though TI parade has not been conducted, according to him, there is CCTV footage. Applicants had allegedly used iron rod and tommy. Part proceeds of dacoity are recovered. He pointed out that both applicants are from Madhya

Pradesh and they have criminal antecedents of same nature and hence, he apprehends misuse of liberty.

4. After considering the above submissions advanced by each of the sides, and on going through the FIR dated 04.06.2024, it is emerging that one Pramod Kalbaile reported that on 03.06.2024, he was returning after collecting sale proceeds of cotton which was to be paid to the farmers. That, he was having cash of Rs.18,36,000/- and he was proceeding on motorcycle with one Dipak Patil, who was the rider. On the way, his companions consumed liquor and while they were proceeding from Devpimpri Phata towards Malpimpri village, a Cruiser vehicle came and gave cut to the motorcycle, as a result of which, they fell. Three to four unknown persons alighted from the Cruiser vehicle and they were beaten by use of a tommy. Informant was chased and cash bag in his possession was snatched and those persons fled in the vehicle. On above report, crime is registered. Thus, apparently, FIR is against unknown persons.

5. Learned APP has fairly conceded that no TI parade has been conducted till filing of charge sheet dated September 2024. Appreciation of CCTV footage and CDR cannot be done at this stage. Though applicants are said to be from the State of Madhya Pradesh,

when nothing is shown to be further recovered or discovered at their instance, the apprehension expressed by learned APP about misuse of liberty can be taken care of by imposing stringent conditions. Hence, I proceed to pass the following order:

ORDER

- I. Both the applications are allowed.
- II. Applicants be released on bail in connection with Crime No. 297 of 2024 registered at Jamner Police Station, District Jalgaon, on executing Personal Bond of Rs. 15,000/- each with one surety each, in the like amount, on the following conditions :
 - [a] The applicants shall not tamper prosecution evidence.
 - [b] The applicants shall not leave the area of jurisdiction of the concerned police station till conclusion of trial.
 - [c] Till commencement of trial, the applicants shall attend the concerned police station twice in every week, i.e. on every Monday and Friday between 11.00 a.m. to 02.00 p.m.
 - [d] After commencement of trial, the applicants shall attend each and every effective date before the trial court.

[ABHAY S. WAGHWASE, J.]