



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

42 BAIL APPLICATION NO. 760 OF 2025

1. SANDESH @ RUTIK SURYAKANT @ NANDU DHAYKAR
2. ALTAF SAYYAD PATHAN
3. GANESH @ MUKUND ANIL MALI

VERSUS

THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Nilesh S. Ghanekar
APP for Respondent/State: Mr. P. P. Dawalkar

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CORAM : ARUN R. PEDNEKER, J.

DATE : 23.06.2025

P.C. :

1] Heard learned counsel for the applicants and the learned APP for the respondent-State.

2] The applicants are seeking bail as they were arrested on 02.01.2025, 28.12.2024 and 02.01.2025 respectively in connection with Crime No.0513/2024, registered with Pachod Police Station, District Chhatrapati Sambhajinagar, for the offences punishable under Sections 115(2), 140(2), 351(3), 352 read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 and under Sections 3 and 25 of the Arms Act.

3] It is the case against the applicants that they had abducted the informant aged 34 years and assaulted him and as such the FIR was lodged. The present applicants applicant no.1 and applicant no.3 are arrested on 02.01.2025 and applicant no.2 is arrested on 28.12.2024.

4] The facts alleged are that the accused have abducted the informant on 25.12.2024 and have assaulted him and taken ransom amount of Rs.58,000/- on the point of gun and the payment is made through phone pay and some cash was given to the applicants. The amounts were sent to the account of wife of applicant no.1. The charge-sheet in the matter is filed and the applicants' bail application has been rejected by the learned trial court. Accordingly, the application is filed before this court.

5] The learned counsel for the applicants submits that there were monetary transactions between the parties and the money was owed to the applicants by the informant. He further submits that, although, there are allegations of assault being made on the informant there are no injuries caused to the informant and there is no medical evidence towards injuries sustained. He also submits that the bail application is erroneously rejected on the basis that there are antecedents against the applicants. He also submits that the informant has filed the affidavit before the Sessions Court that he has no objection for grant of bail.

6] The learned APP has pointed out that as regards applicant no.1 and applicant no.3 there are no antecedents and as regards applicant no.2 there is one antecedent. The learned APP, opposes the grant of bail.

7] Considering the rival submissions, prima facie, it appears from the record that there is possibility that there are no antecedents against applicant no.1 and applicant no.3 and that applicant no.2 also there is only one antecedent and there is acquittal of applicant no.2 in that case also. There is some prior dispute between the applicants and the informant. However, I do not wish to render any finding on this aspect at this stage. The applicant is in jail for a long time and the investigation in the matter is complete and the amount also is not much and there are no injuries on the informant, so also, the informant has given no objection for grant of bail, considering the above, the applicant can be granted bail.

8] In view of the above, the application is allowed in the following terms :

a] The applicants shall be released on bail in connection with Crime No.0513/2024, registered with Pachod Police Station, District Chhatrapati Sambhajanagar, for the offences punishable under Sections 115(2), 140(2), 351(3), 352 read with 3(5)

of the Bharatiya Nyaya Sanhita, 2023 and under Sections 3 and 25 of the Arms Act, on furnishing PR bond of Rs.20,000/- each with one or two sureties in the like amount to the satisfaction of the trial Court.

b] The applicants, upon being released on bail, shall not contact the informant, in any manner whatsoever, during the pendency of the trial.

c] The applicants shall co-operate with the trial Court and they shall attend each and every date, unless exempted by the trial Court.

d] The applicants shall not tamper with the evidence of the prosecution and they shall not influence the informant, witnesses and other persons concerned with the case.

e] The applicants, upon being released on bail, shall place on record of the trial Court the details of his Contact Number and residential address with updates in case of any change.

9] Needless to say, in case of violation of any of the aforesaid conditions, the bail granted to the applicants shall be liable to be cancelled.

10] It is also clarified that the observations made in this order are limited to the disposal of the present bail application. The concerned Court shall proceed further in the matter without being influenced by the observations made hereinabove.

11] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

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