

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

Bail Application No. 840 of 2025

Vedant Dattatraya Yeola

Aged 22 years, Occupation : Student,

Residing at Ram Mandir, Matushri

Colony, Satpur Colony, Nashik,

(Presently confined in Nashik Road

Central Prison)

... Applicant

Versus

The State of Maharashtra

(At the instance of Sarkar Wada

Police Station)

...Respondent

Mr Ashok Mundargi, Senior Advocate a/w Mr Chetan A Alai,
Ms Rama Somani, and Mr Pranit Pawar i/b Mr Chetan A Alai,
for the Applicant.

Mr S S Pednekar, APP, for Respondent / State.

PSI Vishal D Jadhav, Sarkarwada Police Station, Nashik City.

Coram: R.N. Laddha, J.

Date: 6 October 2025

P.C.:

By this application, the applicant seeks bail in connection
with CR No.69 of 2024, registered at Sarkarwada Police
Station, Nashik City, for the offences punishable under Sections
364A read with 34 of the Indian Penal Code ('IPC'), and
Sections 3 and 25 of the Arms Act, 1959.

2. The prosecution's case is that the complainant, Rupchand Bhagwat, along with his brother Vishnu Bhagwat, visited the District and Sessions Court at Nashik on 28 February 2024 to consult their legal counsel in relation to criminal proceedings initiated against them pursuant to FIRs registered at Jaikheda Police Station and Alephata Police Station. While exiting the court premises, the complainant noticed that his brother Vishnu was no longer accompanying him. At that juncture, two unidentified individuals approached the complainant and insisted that he accompany them. Upon his refusal, the said individuals allegedly issued threats of dire consequences. The complainant then observed that his brother Vishnu had been forcibly made to sit in a certain XUV vehicle. Simultaneously, the complainant was also compelled to sit in a black Skoda car bearing registration number MH 04 DN 9677. Both vehicles proceeded towards Trambak Road, maintaining a certain distance between them. Upon reaching the vicinity of Jain Mandir, Nashik, both cars halted, and it was conveyed to the complainant that one "Bhau", alias Rakesh Sonar, would be arriving to meet with Vishnu. Subsequently, the complainant was transferred to the same XUV in which his brother Vishnu had initially been confined, and both were thereafter driven around various locations. During this period, Vishnu informed the complainant that the individuals in question were

demanding a sum of Rs.4 crores. Shortly thereafter, Vishnu was released to arrange the money, while the complainant was kept in confinement and later dropped at Garvare by the present applicant, whose identity he learned during the journey. A complaint was thereafter lodged at Sarkarwada Police Station, resulting in the registration of the present crime.

3. Mr Ashok Mundargi, the learned Senior Counsel appearing on behalf of the applicant, asserting the applicant's innocence, submits that the applicant has been falsely implicated in the crime. It is contended that the applicant is the *bona fide* purchaser of the vehicle in question, a Skoda car bearing registration No.MH 04 DN 9677, which he lawfully acquired on 1 December 2023 for Rs.1,00,000/- through co-accused, Rakesh Sonar (accused No.5), who acted as an agent in the transaction. The vehicle in question was registered in the name of Yusuf Sajida, the erstwhile owner. On 28 February 2024, the applicant received a telephonic communication from accused No.5, informing him that certain minor repairs and compliance-related work remained to be carried out on the said vehicle. Relying on this representation and acting in good faith, the applicant handed over the vehicle to accused No.5 from his residence, with the understanding that it would be returned within a couple of hours. Thereafter, the applicant proceeded

to attend his college's annual day function on his two-wheeler. Later that evening, the applicant made multiple attempts to contact accused No.5 regarding the status of the vehicle, only to be informed that the repairs were still underway. As a result, the applicant returned home.

4. The learned Senior Counsel further argues that on the day of the alleged incident, at approximately 8:30 p.m., while the applicant was having dinner, he received a phone call from accused No.5 requesting him to collect the vehicle from CBS, Nashik. The applicant complied and proceeded to CBS, where accused No.5 further requested him to drop off the complainant, who was introduced as a friend, at Garvare. Acting on this request, the applicant agreed. During the journey, the applicant decided to refuel the car and accordingly contacted his cousin, Rutvik Shirode, to transfer Rs.300/- for fuel expenses. After dropping the complainant at Garvare, the applicant resumed his journey home. However, while *en route*, he was intercepted by a police patrol unit in the Satpur area of Nashik and was taken into custody, purportedly based on some secret information received by the police. The learned Senior Counsel emphatically submits that the applicant had no knowledge of any illegal activity associated with the vehicle and was merely acting upon the instructions of accused No.5, under

a genuine and *bona fide* belief that the vehicle had been undergoing routine repair work.

5. The learned Senior Counsel further contends that the material placed on record fails to disclose any direct involvement of the applicant in the alleged acts of abduction, illegal confinement, negotiation of ransom, or demand thereof. The sole basis for the applicant's implication in the present case appears to be the allegation that he had dropped the complainant at Garvare. There is no substantive material to suggest that the applicant participated in or facilitated any aspect of the criminal conspiracy, and the application of Section 364A IPC is doubtful. It is further submitted that the alleged firearm was brandished by a co-accused and not by the applicant himself.

6. Furthermore, Mr Mundargi contends that the investigation is marred by patent procedural irregularities and material inconsistencies, which strike at the very root of the prosecution's case and render it inherently unreliable. It is asserted that the FIR was lodged on 29 February 2024 at 19:43 hours. In stark contrast, the arrest panchnama reveals that the arrest proceedings reportedly began at 19:00 hours and concluded at 20:50 hours, a timeline that unnervingly precedes

the registration of the FIR. This troubling sequence of events, he contends, strongly indicates that the applicant was apprehended and unlawfully detained prior to the initiation of any formal criminal proceedings, constituting a grave violation of the applicant's fundamental rights as enshrined under Article 21 of the Constitution of India. Furthermore, the arrest form categorically states the time of arrest as 23:40 hours, a detail that not only contradicts the information recorded in the panchnama but also stands at odds with the medical examination logged at 21:15 hours at the Civil Hospital in Nashik, which is located approximately 6 to 7 kilometres away from the alleged site of arrest. Furthermore, there is no material on record to indicate if any thorough investigation was conducted concerning the claimed recovery of the pistol and live cartridges, raising doubts about the findings associated with the incident. The learned Senior Counsel argues that such discrepancies raise significant concerns regarding the integrity of the investigative process and the legitimacy of the actions taken against the applicant.

7. Lastly, Mr Mundargi submits that the applicant stands on a better footing than the co-accused, including accused No.5, who is alleged to be the principal conspirator and mastermind behind the incident, have already been released on bail. The

applicant is a young engineering student with no criminal antecedents and has been languishing in jail for a period exceeding one year and eight months. His continued incarceration, in the absence of any significant progress in the trial, is causing undue hardship and prejudice to his academic and personal life. Moreover, the charge sheet was filed as far back as 27 May 2024. Since then, there has been no substantial advancement in the trial proceedings. The prosecution has cited 15 witnesses to be examined, and the conclusion of the trial will take its own time. In these circumstances, the prolonged detention of the applicant would not serve the ends of justice and would instead amount to pre-trial punishment. Mr Mundargi also submits that the applicant is not a flight risk and undertakes to cooperate fully with the trial proceedings. He is willing to strictly adhere to any conditions that this Court may be inclined to impose, including a direction to reside outside the jurisdiction of Nashik District until the conclusion of the trial, save and except for attending hearings before the trial Court.

8. On the other hand, Mr SS Pednekar, the learned Additional Public Prosecutor representing the respondent/ State, vehemently opposes the applicant's request for bail. He submits that the applicant, in furtherance of a common

intention with the co-accused, wrongfully confined the complainant and his brother within a vehicle, during which they were subjected to threats of dire consequences and demands for ransom. It is further submitted that the applicant was duly identified by the complainant during the Test Identification Parade (TIP), confidently pointing him out as the driver of the incriminating Skoda car. The vehicle in question was recovered from the applicant, and its search led to the seizure of a country-made pistol and a live cartridge. The learned APP emphasises the grave and serious nature of the offence and expresses a strong apprehension that, if released on bail, the applicant may tamper with evidence or exert influence over witnesses.

9. Upon perusing the records, it emerges that the gravamen of the prosecution's case pertains to an incident allegedly involving the abduction of the complainant and his brother, Vishnu, from the precincts of the Nashik District Court on 28 February 2024, followed by an alleged demand for ransom. The prosecution narrative, as delineated in the charge sheet, implicates multiple individuals in the purported criminal conspiracy and execution of the offence. However, the specific role ascribed to the present applicant appears to be peripheral and limited in scope. It is alleged that the applicant was driving

a Skoda vehicle and is purported to have dropped the complainant at a certain location subsequent to the alleged incident. Beyond this solitary assertion, there is no cogent or tangible material, at this stage, which *prima facie* establishes the applicant's direct involvement in the core components of the offence—namely, the initial act of abduction, the subsequent unlawful restraint or confinement, or any active participation in the alleged extortionate demand for ransom. The statement of Vishnu, who is a material witness, predominantly attributes culpability to the co-accused and does not assign any definitive or incriminating role to the applicant in relation to the more serious and substantive allegations. In such circumstances, the invocation of Section 364A of IPC, *qua* the applicant, appears to be debatable and not free from legal ambiguity. It is further pertinent to note that certain co-accused, who are alleged to have played a more active and substantive role in the commission of the offence, have already been enlarged on bail. The applicant, on the other hand, has no antecedents of criminal conduct, whereas the complainant and his brother Vishnu are themselves facing prosecution in multiple criminal cases.

10. Furthermore, the investigation into the present crime has concluded, and the final report under Section 173 CrPC was

filed on 27 May 2024. No further recovery or discovery is contemplated from the applicant. The applicant has been languishing in jail since 29 February 2024, and notably, the charges have not yet been framed. The prosecution proposes to examine fifteen witnesses, and the trial is yet to commence. The applicant is a young individual and a student by occupation. In the totality of the circumstances, continued incarceration of the applicant pending trial would not subserve the ends of justice and may result in undue prejudice. The apprehensions expressed by the prosecution regarding the possibility of tampering with evidence or influencing witnesses can be effectively addressed by imposing suitable conditions.

11. Having regard to the stage of proceedings, the nature and extent of the role attributed to the applicant, the absence of prior criminal antecedents, and the principle of parity *vis-a-vis* co-accused who have already been granted bail, this Court is of the view that the applicant is entitled to the benefit of bail, subject to appropriate conditions to ensure his continued cooperation with the trial and to safeguard the integrity of the judicial process. Hence, the following order:

ORDER

- (i) The applicant shall be released on bail in CR No.69 of 2024, registered at

Sarkarwada Police Station, Nashik City, upon executing a PR Bond of Rs.25,000/- and furnishing one or more sureties in the like amount.

(ii) The applicant, himself or through any other person, shall not tamper with the evidence or influence witnesses.

(iii) The applicant shall not enter the jurisdiction of the Nashik District until the conclusion of the trial, save and except to attend the trial proceedings before the trial Court.

(iv) The applicant shall regularly attend and cooperate with the trial Court for the expeditious disposal of the case.

12. The application stands disposed of accordingly.

[R.N. Laddha, J.]