IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 2230 OF 2025

DHUPKARAN ALIAS ANILSHET RAMLAGAN CHAUDHARI
VERSUS
THE STATE OF MAHARASHTRA
...
Advocate for Applicant : Mr. Amar A. Yeorikar
APP for Respondent : Mr. G. O. Wattamwar
...

CORAM : SACHIN S. DESHMUKH, J.

DATE : 05-01-2026

PER COURT:-

1. The applicant seeks bail in connection with Crime No.133 of 2025 dated 17.06.2025 registered with Dharashiv Rural Police Station, District Dharashiv, for the offences punishable under Sections 310(4), 310(5) of the *Bharatiya Nyaya Sanhita, 2023* and Sections 3, 4 and 25 of the Arms Act, 1959. In the said crime, the applicant was arrested on 17.06.2025. After completion of the investigation, the chargesheet has been filed.

2. It is case of the prosecution that on 17.06.2025 at about 8.00 p.m. API Khatke of Local Crime Branch, Dharashiv was patrolling at Terna College, Dharashiv. That time, he received message that some persons were gathered for committing dacoity. So he went to the place of offence. He noticed that total five persons were gathered. Out of them, two fled away with

motorcycle. Three persons were apprehended at the spot. One pistol, one sickle, some live cartridges were seized from those persons. Bullet motorcycle and car were also seized from those three persons.

3. The learned counsel for the applicant submits that the applicant is innocent and falsely implicated in the alleged crime. It is submitted that the entire case of the prosecution is based on suspicion. The investigation is completed and the chargesheet is filed. Even the further incarceration of the applicant is not required. Hence, prayed to allow the application.

4. The learned A.P.P. has opposed the application, submitting that the weapons used in the crime are recovered at the instance of the applicant. There are criminal antecedents as against the applicant. The offence is serious in nature. Further, expressed the apprehension that the applicant is likely to abscond if released on bail. Hence, prayed to reject the application.

5. Having heard the respective counsel from both the sides and upon perusal of the material on record, including the charge sheet indicates that the arrest is effected on the ground of suspicion regarding the commission of dacoity. The investigation is completed and the chargesheet is already filed. The Police have also seized the weapons and vehicles used in the crime.

6. As has been held by the Honourable Apex Court in the case of ***Ayub Khan Vs. The State of Rajasthan (2024 INSC 994)***, the criminal antecedent by itself cannot be a ground to reject the application for bail, when the applicant has made out a strong *prima facie* case.

7. Apart from aforestated aspects, the co-accused No.2, 3 and 5 are already enlarged on bail. As such, on the ground of parity also the request of the applicant for bail warrants consideration. Therefore, no purpose would be served by keeping the applicant behind the bars for indefinite period. Merely on account of applicant is from other state, that by itself, is not a reason to continue further incarceration of the applicant. The apprehension expressed by the learned APP can be adequately taken care of by imposing stringent conditions. Thus, I am inclined to exercise discretion in favor of the applicant.

8. Hence, the order:-

ORDER

(i) The bail application is allowed.

(ii) Applicant, Dhupkaran Alias Anilshet Ramlagan Chaudhari, be released on bail, upon furnishing P.R. bond in the sum of Rs.50,000/- (Rs.Fifty Thousand) with one or two local solvent sureties, in the like amount, in connection with Crime No.133 of 2025, dated 17.06.2025, registered with

Dharashiv Rural Police Station, District Dharashiv, for the offences punishable under Sections 310(4), 310(5) of the *Bharatiya Nyaya Sanhita, 2023* and Sections 3, 4 and 25 of the Arms Act, 1959, on the following conditions :-

(a) The applicant shall not pressurize the prosecution witnesses and 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 and shall not leave the area of jurisdiction of the concerned Police Station till conclusion of the trial.

(c) The applicant shall submit Aadhar and Pan Cards to the Investigating Officer and detailed address and phone numbers 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, J.]

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