



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

BAIL APPLICATION NO. 304 OF 2026

Ajay S/o Mirilal Kale,
Age : 25 years, Occ. : Labour,
R/o. Kukindpur, Newasa Phata,
Tq. Newasa, Dist. Ahilyanagar

... Applicant

VERSUS

The State of Maharashtra,
Through Police Inspector,
Patoda Police Station,
Dist. Beed

... Respondent

**WITH
BAIL APPLICATION NO. 307 OF 2026**

Umesh S/o. Harsingh Bhosle,
Age : 25 years, Occu. Labour,
R/o. Dighi, Newasa Phata,
Tq. Newasa, Dist. Ahilyanagar

... Applicant

VERSUS

The State of Maharashtra,
Through Police Inspector,
Patoda Police Station,
Dist. Beed

... Respondent

...
Advocate for Applicant in both BAs : Mr. R.M. Bhagwat h/f.
Mr. Vaibhav A. Solanke
A.P.P. for Respondent/State : Mr. G.O. Wattamwar

CORAM : SHAILESH P. BRAHME, J.

DATE : 20.04.2026

PER COURT :

Heard both sides.

2. The applicants are arrested on 08.07.2025 in pursuance of the Crime No.187 of 2025, registered with Patoda Police Station, Dist. Beed for the offences punishable under Section 309(4), 3(5) of Bharatiya Nyaya Sanhita, 2023. They

are seeking regular bail as chargesheet is filed on 18.12.2025 and their further custody is not warranted.

3. Applicants are facing allegations of road robbery. It is informed to the Police by Ashok Vyankati Phad that on 16.06.2025, informant and his friends were returning from Jamkhed to Parali by car. When their car was at Sautada at about 10.30 pm, three unidentified persons intercepted the car by their two wheeler. One of them was holding a knife and informant – and his friends were threatened by applicant. Their three mobile handsets, a gold ring were robbed and they fled away.

4. Learned counsel for the applicant submits that there is no incriminating material against them. Their names are not spelt out in the FIR. There was no recovery from applicant – Umesh. The memorandum showing disclosure is inadmissible and cannot be said to be incriminating. They are ready to abide by any condition imposed by this Court.

5. Per contra, learned APP would submit that applicants are habitual in nature. Applicant – Ajay has antecedents of 8 similar crimes and applicant – Umesh has record of 5 crimes. They are repetitively indulging in same road robberies. Two mobile handsets and a knife are recovered at the instance of the applicant – Ajay.

6. FIR shows that informant and his friends were robbed by three unidentified persons. Applicants came to be arrested after it was disclosed to the Police in some other offence the role played by applicant. Two mobile handsets and a knife is recovered at the instance of the applicant – Ajay, which is *prima facie* incriminating. He has no explanation as to how those articles were retrieved. The informant and his friends are said to be the eye witnesses.

7. Both the applicants are history-sheeteres. There are 8 offences registered against applicant – Ajay against applicant – Umesh, 5 offences are registered.

8. Learned counsel for the applicants has assured that applicants would not indulge in similar type of offences and the condition to that effect can be imposed. Investigation is over and there is no point in keeping them behind bars any further.

9. I, therefore, pass the following order :-

ORDER

I] The Bail Applications are allowed.

II] The applicant - Ajay S/o Mirilal Kale and applicant - Umesh S/o. Harsingh Bhosle shall be released on bail in connection with Crime No.187 of 2025, registered with Patoda Police Station, Dist. Beed for the offences punishable under Section 309(4), 3(5) of Bharatiya Nyaya Sanhita, 2023, on following conditions:

(a) The applicants shall furnish P.R. bonds of Rs.30,000/- (Rs. Thirty Thousand only) each with one solvent surety each of like amount.

(b) The applicants shall not tamper with prosecution evidence or contact with the prosecution witnesses.

(c) The applicants shall furnish their mobile/cell numbers and addresses to the investigating officer.

(d) The applicants shall not indulge in similar type of offences, default of which would entail cancellation of the bail granted to them without reference to the Court.

(e) Both applicants shall report the Police Station on every Sunday between 10.00 am to 3.00 pm, fortnightly till framing of the charge in the trial.

(f) The applicants shall co-operate for expeditious disposal of the trial.

(g) The applicants shall surrender their Adhaar / PAN cards, if any, to the Investigating Officer.

(SHAILESH P. BRAHME, J.)

arp/-