

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

**CRIMINAL BAIL APPLICATION NO. 1634 OF 2021**

|                            |                 |
|----------------------------|-----------------|
| Rohit Sulekhchand Rajoriya | .... Applicant  |
| Versus                     |                 |
| The State of Maharashtra   | .... Respondent |

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Ms. Ekta P. Pawnikar for Applicant.  
Mr. Ajay Patil, APP for State/Respondent.

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**CORAM : SARANG V. KOTWAL, J.**  
**DATE : 28<sup>th</sup> APRIL, 2021**  
(Through Video Conferencing)

**P.C. :**

1. The Applicant is seeking his release on bail in connection with C.R.No.265 of 2020 registered at Mahatma Phule Chowk police station, Dist. Thane, on 20/06/2020, under sections 307, 323 and 504 r/w. 34 of the Indian Penal Code (for short 'IPC'). The applicant was arrested on the same day and since then he is in custody.

2. Heard Ms. Ekta Pawnikar, learned counsel for the applicant and Shri. Ajay Patil, learned APP for the State.

3. The First Information Report (for short 'F.I.R.') is

lodged by one Ganesh Ahire. He was an eye witness to the incident. He has stated that, in the midnight they were playing video game. At that time, accused Sandeep Patil and Shiva More came there on a motorcycle. They picked up a quarrel with the informant and one Afzal. Both these accused were followed by Rohit and Soni @ Santosh Liye. The prosecution case is that, Rohit is the present applicant. Both of them also gave fist blows to the informant and Afzal. After that accused Sandeep Patil and Shiva More removed knives and assaulted one Aniket Poojari. Sandeep Patil stabbed Aniket on his stomach. Shiva More stabbed Aniket on his hips. The informant and Afzal were trying to save Aniket but the informant was held by Soni @ Santosh and Afzal was held by the applicant. After that, accused went away and this F.I.R. was lodged.

4. Learned counsel for the applicant submitted that the applicant is not attributed main role. The main role is attributed to one Sandeep Patil who is already granted bail by this court (Coram: Prakash D. Naik, J.) vide order dated 10/03/2021 passed in Criminal Bail Application No. 1297 of 2020. Learned counsel for

the applicant, therefore, claimed parity.

5. Learned APP, though opposed the bail application, he could not really controvert the submissions on parity.

6. I have considered these aspects. The F.I.R. gives details of the allegations. The F.I.R. is supported by Aniket's statement who was the victim. The narration in the F.I.R. is supported by Aniket's statement. The injury certificate of Aniket shows that, he had suffered four stab wounds.

7. Thus, narration in the F.I.R. and Aniket's statement is supported by medical certificate. However, from both these statements, it is clear that the main assailants were Sandeep Patil and Shiva More. Both of them are granted bail. Shiva More was granted bail by the same order referred herein above, passed in Criminal Bail Application No.1356 of 2020. Therefore, the applicant who is attributed much lesser role deserves same consideration for grant of bail. In this view of the matter, the applicant is also entitled to be released on bail.

8. Hence, the following order :

**ORDER**

- (i) In connection with C.R.No.265 of 2020 registered at Mahatma Phule Chowk police station, Dist. Thane, the applicant is directed to be released on bail on his furnishing PR bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.
- (ii) Looking at the prevailing circumstances, it may not be possible for the applicant to furnish sureties immediately. Therefore, initially the applicant is permitted to furnish cash bail for the same amount. The applicant will have to furnish the sureties, as directed, within three months from today.
- (iii) The Applicant shall attend the trial court on every date unless prevented by a reasonable cause.
- (iv) Application stands disposed of accordingly.

**(SARANG V. KOTWAL, J.)**