

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

935 BAIL APPLICATION NO.1887 OF 2022

1. SUKHRAM DAMU KAMADE
2. KALU SOMA GAVIT
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicants : Mr. Girase Amarjitsing B.
APP for Respondent-State : Mr. K. S. Patil.
...

CORAM : S. G. MEHARE, J.
DATE : 02.12.2022

PER COURT :-

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

2. The learned counsel for the applicants would submit that the applicants are behind the bar for more than four and half years. Around 26 witnesses have been examined. The role attributed to the applicants is that they barely resisted the police. They never assaulted the deceased. On the same facts, this Court by an order dated 06.09.2022 granted bail to the similarly situated accused. Hence, the bail may be granted on parity.

3. Learned APP has opposed the application and would contend that the trial is likely to be completed within a short time. Hence, they may not be granted bail.

4. It is not in dispute that the allegations against the applicants were that they obstructed the police and prevented them from taking away the dead bodies. On the same allegations, the other co-accused namely Pravin Rathod and Mithun Rathod have been granted bail by this Court by the order dated 06.09.2022.

5. Considering the role attributed to the applicants and the co-accused have been granted bail, the parity may be extended. Hence, they deserve the bail.

ORDER

(i) Bail Application is allowed.

(ii) Applicant No.1. **SUKHRAM DAMU KAMADE** and
2. **KALU SOMA GAVIT** be released on bail on
furnishing P.B. and S.B. of Rs.15,000/- (Rupees
Fifteen Thousand only) each with one solvent
surety of the like amount each, in Crime No.74 of
2018, registered by Police Station Pimpalner,
District Dhule, for the offences punishable under

Sections 302, 143, 144, 147, 148, 149, 341, 336, 342, 353, 332, 363, 364, 427, 506 of the IPC and Section 3 of the Prevention of Damage to Public Property Act, on the condition to attend the case on every material date.

(S. G. MEHARE, J.)

...

vmk/-