

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

**CRIMINAL APPLICATION NO. 1714 OF 2021  
IN  
CRIMINAL APPEAL NO. 385 OF 2021**

Anil Ambadas Dukale ... Applicant  
Versus  
The State of Maharashtra and another ... Respondents

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Mr. Nilesh S. Ghanekar, Advocate for applicant  
Mr. S. P. Sonpawale, APP for respondent No.1  
Mrs Pratibha Bharad, Advocate for respondent No.2

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**CRIMINAL APPLICATION NO. 1 OF 2022  
IN  
CRIMINAL APPEAL NO. 1 OF 2022**

Sagar Subhash Butte ... Applicant  
Versus  
The State of Maharashtra ... Respondent

....

Mr. Sudarshan J. Salunke, Advocate for applicant  
Mr. S. P. Sonpawale, APP for respondent

....

**CORAM : R. G. AVACHAT, J.**

**DATED : 23<sup>rd</sup> FEBRUARY, 2022**

**PER COURT :-**

. Heard.

2. The present applicants along with one another, were charged and prosecuted for an offence of gang rape and related

offences. The trial Court has convicted all of them and sentenced to suffer rigorous imprisonment for twenty (20) years.

3. On perusal of the evidence and the police papers, it does indicate that the role of all of them was similar. The substantial sentence of one of them has already been suspended by this Court.

4. The learned APP and the learned Advocate appointed for the victim strongly object, but they could not point out difference between the role played by the present applicants and the one whose sentence has been suspended earlier.

5. On the ground of parity, the present applications are allowed.

6. The execution of substantive sentence of imprisonment of the applicants to stand suspended, pending the appeals. The applicants be released on bail on furnishing P R. bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with surety each in the like amount.

7. The applicants shall attend Mukundwadi police station once a month i.e. on first Monday of every month between 11.00 a.m. to 2.00 p.m. during the pendency of the appeals.

8. The applications stand disposed of.

[ R. G. AVACHAT, J. ]