

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

CRIMINAL BAIL APPLICATION NO.1506 OF 2022

Prakash Motiram Lilke Applicant
versus
State of Maharashtra & Anr. Respondents

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- Ms. Anima Mishra a/w Angela Singha a/w. S. T. Pandey a/w Kajal Upadhyay i/b. SBG Law Advocates, Advocate for Applicant.
- Mr. Yogesh Y. Dabke, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 07th SEPTEMBER, 2022

P.C. :

1. This is the second Bail Application by the same Applicant. He had earlier approached this Court. This Court had heard the Applicant's counsel for some time. When the Court expressed disinclination to grant relief, learned counsel for the Applicant prayed for withdrawal of that application and he was allowed to withdraw the application unconditionally. That order was passed on 27/01/2021.

2. This second Bail Application was filed on the ground that the co-accused Somnath Kalu Tongare was granted bail by

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this Court (Coram : Sandeep K. Shinde, J.), vide order dated 07/06/2022 passed in Bail Application No.1865 of 2021.

3. It is submitted that this is a change in circumstance and on the ground of parity, the Applicant also deserves to be released on bail.
4. I have perused the entire charge-sheet. In the FIR specific role and weapon was attributed to the present Applicant. Apart from that there are statements of eyewitnesses Sunil Tongare, Sukhdev Pardhi and Samadhan Tongare. All of them have attributed specific role and weapon to the present Applicant. The offence is very serious. The deceased was cruelly assaulted. He was asking for water. He was denied that. All the assailants along with present Applicant prevented others from helping him. It is a cruel offence. There is no change in circumstance. The parity does not apply. The role of Somnath Tongare is clearly distinguishable. It is no change in circumstance. Therefore this application is not entertained and is rejected.

(SARANG V. KOTWAL, J.)