

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO.1276 OF 2023

1) UMESH S/O. BHAGHCHAN RATHOD
2) LAKHAN S/O. ARUN GOSAVI
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicants : Mr. Nilesh S. Ghanekar
APP for Respondent : Mr. S. B. Narwade
...

CORAM : S. G. MEHARE, J.

DATE : 07-08-2023

PER COURT :-

1. Heard the learned counsel for the applicants and the learned A.P.P. for the respondent/State.

2. The applicants are seeking bail in C.R.No.0883 of 2022 registered with M.I.D.C. Police Station, Ahmednagar, for the offences punishable under Sections 376D, 376(2)(I) read with Section 34 of the Indian Penal Code.

3. The similarly situated co-accused has been granted bail on 04.07.2023. Having examined the material on record and considering the objections raised by the learned A.P.P., the Court is satisfied that the role attributed to the applicants is identical to the role of the co-accused, whom this Court has granted bail. Therefore, parity would be extended to the applicants. Hence, the

order:-

- i) The application is allowed.
- ii) Applicants No. (1) Umesh s/o. Bhagchan Rathod and (2) Lakhan s/o. Arun Gosavi, be released on bail, on furnishing PB and SB of Rs.50,000/- each, with one solvent surety of the like amount, in C.R.No.0883 of 2022 registered with M.I.D.C. Police Station, Ahmednagar, for the offences punishable under Sections 376D, 376(2)(I) read with Section 34 of the Indian Penal Code, on the conditions that;
 - (a) They shall not tamper with the prosecution witnesses.
 - (b) They shall attend the trial on each effective date.
- iii) Needless to state that the above observations are restricted to the bail purpose. The learned trial Court shall not be influenced by the aforesaid findings.

(S. G. MEHARE)
JUDGE

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