



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

983 BAIL APPLICATION NO. 1990 OF 2024

DHANANJAY BAPURAO BHOSALE

VERSUS

THE STATE OF MAHARASHTRA

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Advocate for Applicant : Ms. Amita D. Chate
APP for Respondent/State: Mr. S. P. Sonapawale

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CORAM : ARUN R. PEDNEKER, J.

DATE : 13th DECEMBER, 2024

PER COURT:

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

2] The applicant is seeking bail as he was arrested on 23.08.2024, in connection with Crime No.178 of 2023, registered with Malakoli Police Station, District Nanded, for the offences punishable under Sections 302, 397, 457, 336 r/w. 34 of the Indian Penal Code, 1860.

3] The applicant was arrested on 23.08.2024 in connection with the above offences. The learned counsel places reliance on the order of this court dated 14.06.2024 in Bail Application 712 of 2024 in case of Sachin @ Babdya Bapurao Bhosale Vs. The State of Maharashtra, where the co-accused has been granted bail She submits that the co-accused is the main accused from which the stolen property is recovered. The applicant was said to be in company of the co-

accused when he was arrested. In any event, she submits that the co-accused is the primary accused and is granted bail and on the ground of parity the applicant be granted bail.

4] The factual aspect that the role of the co-accused is higher than the present applicant has not been controverted by the learned APP, although, the learned APP submits that there are various other similar offences registered against the present applicant to which the learned counsel for the applicant submits that they belongs to a particular community which is generally booked for all offences of stolen / theft which takes place in the locality. She also submits that identical offences are also registered against the co-accused, however, he has been granted bail and that the members of the community to which they belong are usually arrested for the theft offences.

5] Considering the submission that the alleged role of the applicant is the same as that of the co-accused who has been granted bail, the applicant is also granted bail, on the ground of parity.

6] In view of the above, the application is allowed in the following terms :

a] The applicant shall be released on bail in connection with Crime No.178 of 2023, registered with Malakoli Police Station, District Nanded, for the offences punishable under Sections 302, 397, 457, 336 r/w. 34 of the Indian Penal Code, 1860, on furnishing PR bond of Rs.15,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

b] The applicant shall not enter the jurisdiction of Nanded and Latur District for a period of one year, where cases against the applicant are pending, except to attend cases on the date of listing of the matters and one day prior thereto. Thereafter, the applicant will have to move out of the district of the Nanded and Latur. The condition would remain in force for a period of one year.

c] The applicant shall also not to involve in any other criminal cases.

d] The applicant to attend to the nearest police station once in a month for a period of two years from today wherever he resides.

e] The applicant, upon being released on bail, shall not contact the informant, in any manner whatsoever, during the pendency of the trial.

f] The applicant shall co-operate with the trial Court and he shall attend each and every date, unless exempted by the trial Court.

g] The applicant shall not tamper with the evidence of the prosecution and he shall not influence the informant, witnesses and other persons concerned with the case.

h] The applicant, upon being released on bail, shall place on record of the trial Court the details of his Contact Number and residential address with updates in case of any change.

7] Needless to say, in case of violation of any of the aforesaid conditions, the bail granted to the applicant shall be liable to be cancelled.

8] It is also clarified that the observations made in this order are limited to the disposal of the present bail application. The concerned Court shall proceed further in the matter without being influenced by the observations made hereinabove.

9] The application stands disposed of.

[ARUN R. PEDNEKER, J.]

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