



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CRIMINAL APPLICATION (BA) NO. 466 OF 2024
(Mahesh Jitendra Rathod..Vs. The State of Maharashtra)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. I.F. Jain, counsel for the applicant.
Ms. H. Dhande, APP for respondent /State.

CORAM : ABHAY J. MANTRI, J.
DATED : 28-05-2024

The applicant has filed an application for a grant of bail in connection with Crime No. 235/2024, registered at Nandura Police Station, Nadura District Buldhana, for the offences punishable under Sections 308, 353, 332, 143, 147, 148, 149, 427 Of the Indian Penal Code and Section 7 of Criminal Law Amendment Act and Section 135 of Maharashtra Police Act.

2. Heard learned counsel for the applicant and APP for the State. Perused the record and order passed in connected bail applications of the co-accused.

3. On 28.3.2024, during the procession of Shivaji Maharaj Jayanti, a riot occurred between two communities. Accordingly, an offence came to be registered against members of the unlawful assembly of both communities, which includes the applicant.

4. The learned counsel for the applicant submitted that in the FIR nothing alleged the applicant. But he has been wrongly implicated in the present crime. Since

08.04.2024, the applicant has been in jail. The investigation is completed. It is further submitted that the co-accused have been released on bail by this Court; therefore, the applicant is entitled to bail on parity.

5. As against above, learned APP has not controverted said fact and fairly submits that the allegations against the present applicant and the co-accused who are released on bail are similar in nature.

6. In the FIR no name of the applicant is mentioned. Also, no specific allegation appears against the applicant about the role played by him. Nothing remains to be recovered.

7. Having considered the submissions advanced, it seems that the investigation of the present crime is completed. Allegations against the applicant and the co-accused are similar, who are released on bail. Therefore, I deem it appropriate to allow this application on parity. Hence, in the interest of justice, I pass the following order:

Order

- i) Application stands allowed.
- ii) Applicant – Mahesh Jitendra Rathod be released on bail in connection with Crime No. 235/2024, registered with Nandura Police Station, Nadura District Buldhana on executing P.R. bond of Rs. 50,000/- (Rupees Fifty Thousand) with one solvent surety in the

like amount.

iii) The applicant shall not induce, or threaten any witnesses nor tamper the prosecution evidence till the conclusion of the trial.

iv) The applicant shall not leave the country without prior permission of the Court.

v) Bail be furnished before Ld. Trial Court.

(ABHAY J. MANTRI, J.)

Belkhede