



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

923 BAIL APPLICATION NO. 89 OF 2025

RAKESH RAJU THOKAL

VERSUS

THE STATE OF MAHARASHTRA

...

Advocate for Applicant : Mr.Sk. Mazhar A. Jahagirdar

APP for Respondent-State : Mr.N.B.Patil

Advocate for Assist to P.P. : Mr.N.B.Narwade

...

WITH

CRIMINAL APPLICATION NO. 280 OF 2025

IN BA/89/2025

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 28.01.2025

P.C. :

1] Heard. For the reasons stated in Criminal Application No.280 of 2025 for assisting to the P.P., the same is allowed. Criminal Application is disposed of accordingly.

2] Heard learned counsel for the applicant in Bail Application No.89/2025, the learned APP for the respondent-State and learned counsel for Assisting to P.P.

3] The applicant is seeking bail as he is arrested on 25.09.2024 in connection with Crime No. I-0996/2024,

registered with Kotwali Police Station, Ahmednagar, District Ahmednagar, for the offences punishable under sections 109, 119 (1), 118 (2), 115 (2), 61 (2), 351 (2), 352, 189 (3), (4), 191 (2) (3) and 190 of the Bhartiya Nyaya Sanhita, 2023.

4] The learned counsel for the applicant points out that as per orders dated 04.12.2024 in BA No.1980/2024 and 11.12.2024 in B.A.No.2071/2024, this Court has granted bail to the similarly placed accused, namely, Akash Ravindra Auti, Akash Ramesh Sangle and Vishal Kumar Dalvi. He submits that the role of the present applicant is less than the role attributed to the applicants in Bail Application No.2071/2024. He submits that he had withdrawn the bail application in respect of present applicant on 04.12.2024 with liberty to file an appropriate bail application after filing of the charge sheet. He further submits that after filing the charge sheet, the present application is filed by the applicant.

5] The learned APP submits that there are four antecedents against the present applicant, therefore, he should not be granted regular bail.

6] Having perused the FIR, there is no specific role attributed to the present applicant, so also, this Court has granted bail in favour of co-accused, namely, Akash Ramesh

Sangle and Vishal Kumar Dalvi, whose role is that they had caught hold the right hand of the informant, who was injured by the another accused. However, with regard to the present applicant is concerned, there is no specific role attributed to the present applicant.

7] The learned counsel for the applicant submits that the applicant would not enter the village Kedgaon till conclusion of the trial. He further submits that the applicant would not apply for relaxation of the conditions at any point of time.

8] Considering that the applicant is in jail since last four months, so also, considering that this Court has granted bail in favour of the co-accused, namely, Akash Ramesh Sangle and Vishal Kumar Dalvi in the same FIR, the application is allowed in the following terms :

a] The applicant shall be released on bail in connection with Crime No.I-0996/2024, registered with Kotwali Police Station, Ahmednagar, District Ahmednagar, for the offences punishable under sections 109, 119 (1), 118 (2), 115 (2), 61 (2), 351 (2), 352, 189 (3), (4), 191 (2) (3) and 190 of the Bhartiya Nyaya Sanhita, 2023, on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

b] The applicant shall not enter village Kedgaon during pendency of the trial.

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

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

e] 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.

f] 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.

g] The applicant shall not involve in similar type of offence.

9] 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. 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.

10] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

DDC