

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

44 BAIL APPLICATION NO. 796 OF 2025
WITH
CRIMINAL APPLICATION NO. 2484 OF 2025 IN BA/796/2025

RAHUL NARAYAN KOLI
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. R.V. Gore h/f. Mr. Shinde Sharad S.
APP for Respondent/State : Mr. K.K. Naik
Advocate for assist to APP : Mrs. Pooja Ingole h/f. Mr. S.J. Salunke
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CORAM : ARUN R. PEDNEKER, J.

DATE : 18/08/2025

P.C. :

1. Criminal Application No. 2484/2025 filed for assisting APP is allowed and disposed of. Mrs. Pooja Ingole h/f. Mr. S.J. Salunke, learned counsel is allowed to assist the learned APP.
2. Heard the learned counsel for the applicant, the learned APP for the respondent-State and Mrs. Pooja Ingole h/f. Mr. S.J. Salunke, learned counsel for assisting APP.
3. The applicant is seeking bail as he is arrested in connection with Crime No. 24/2024 dated 15.01.2024 registered with Chalisgaon Police Station, District Jalgaon for the offences punishable under sections 302, 307, 324, 504, 506, 143, 144, 147, 148, 149 of I.P.C., sections 4, 25 of Arms Act and sections 37(1), 37(4), 135 of Maharashtra Police Act.
4. The alleged incident took place on 14.1.2024. It is the case of the prosecution that the applicant and other co-accused, total 10 in numbers, have assaulted the deceased and other two witnesses by means of chopper, sword, sickle, bat, stump etc. Out of them nine accused are arrested and three of them were granted bail. The name of the present applicant is given first

time in the supplementary statement of the injured witness and also other six eye witnesses. They have stated that the present applicant has assaulted the deceased by means of stump. The statements of the eye witnesses are recorded on 25.1.2025.

5. The learned counsel for the applicant has relied upon the orders dated 14.7.2025 passed by the learned Sessions Court granting bail to accused No. 6 - Jai More and accused No. 7 - Amol Koli in Sessions Case No. 101/2024. The learned counsel for the applicant submits that the role of the applicant is exactly identical to that of the accused No. 6 – Jai More and nearly identical to Amol Koli, to whom the learned Sessions Court has granted bail. The learned Sessions Court while granting bail to them in above orders has observed that they have not reached the spot with any weapon, but the death is caused due to hypovolemic shock due to blood loss from injuries to vital organs (Aorta, Spleen, Lung) subsequent to fatal stab injury. Stab injury is attributed to other co-accused and not to the present applicant. The learned counsel pointed out that there is no evidence on record to show that applicant in any way has caused such injury resulting blood loss from injuries to vital organs and as such, on the ground of parity, the learned counsel prays to release the applicant on regular bail.

6. The learned APP as well as the learned counsel assisting the APP has strongly opposed the application on the ground that the role of the applicant is different than that of the other co-accused, who have been granted bail by the learned Sessions Court and pray to reject the application.

7. Having perused the above orders passed by the learned Sessions Court in the case of accused No. 6- Jai More and considering that the present applicant is of 25 years old and since one and half years, he is behind bars and also considering the allegation against the applicant that he has assaulted the

deceased by stump, it cannot be said that bleeding injuries are caused by the applicant. The role of the applicant is identical to that of the co-accused – Jai More, who has been granted bail by the learned Sessions Court. Considering all above, I deem it appropriate to grant regular bail to the present applicant on the ground of parity in the same terms as was granted to accused No. 6 – Jai More.

8. 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. 24/2024 dated 15.01.2024 registered with Chalisgaon Police Station, District Jalgaon for the offences punishable under sections 302, 307, 324, 504, 506, 143, 144, 147, 148, 149 of I.P.C., sections 4, 25 of Arms Act and sections 37(1), 37(4), 135 of Maharashtra Police Act., on furnishing PR bond of Rs.1,00,000/- with surety in the like amount to the satisfaction of the trial Court.

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

c] The applicant shall co-operate with the trial Court and he shall attend each and every date, unless exempted by the trial Court, for reasons to be recorded in writing.

d] 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.

e] 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.

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.

10. 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.

11. The application stands disposed of.

[ARUN R. PEDNEKER, J.]

SSC/