



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

**CRIMINAL APPLICATION NO. 1571 OF 2025
IN APEAL/355/2025**

LALIT ALIAS RAVIRAJ ARVIND PALANDE
VERSUS
THE STATE OF MAHARASHTRA

...
Mr. Amol Narhari Kakade, Advocate for Applicant
Ms. S. N. Deshmukh, APP for Respondent/State

...
WITH
CRIMINAL APPLICATION NO. 985 OF 2025
IN APEAL/180/2025

VIREN ALIAS PINTU DASHRATH KATARNAVARE
VERSUS
THE STATE OF MAHARASHTRA

...
Mr. Nilesh S. Ghanekar, Advocate for Applicant
Ms. S. N. Deshmukh, APP for Respondent/State

...
WITH
CRIMINAL APPLICATION NO. 1151 OF 2025
IN APEAL/207/2025

YOGESH SANJAY NIKALE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA

...
Ms. Sunita G. Sonawane, Advocate for Applicant
Ms. S. N. Deshmukh, APP for Respondent/State

...
WITH
CRIMINAL APPLICATION NO. 1565 OF 2025
IN APEAL/309/2025

RAHUL EKNATH DHIVAR
VERSUS
THE STATE OF MAHARASHTRA

...
Mr. Rajendra K. Temkar, Advocate for Applicant
Ms. S. N. Deshmukh, APP for Respondent/State
...

**CORAM : NITIN B. SURYAWANSHI &
SANDIPKUMAR C. MORE, J.J.**

DATE : 10th JULY, 2025

PER COURT :

1. By these applications applicants who are convicted for offences punishable under Sections 302, 364, 324, 148, 149, 504, 506 read with 34 of the Indian Penal Code, by the Sessions Court, Rahata, in Sessions Case No.227/2024, seek bail by suspension of their substantive sentence.
2. Heard learned advocates for the applicants and learned APP for respondent/State. Perused the record.
3. As per the prosecution, accused Lalit and Rahul have taken the deceased on motorcycle on the pretext of going to a movie, then the deceased was taken to Gharkul Vasahat in Ambedkar Nagar. He was assaulted by all the accused persons with swords, chopper, fists and kick blows. 16 accused persons including applicants were charged for assaulting Yogesh Waghmare with sickles and swords on 01/06/2022. During trial the prosecution has examined 15 witnesses, including three eye witnesses i.e. PW7, PW9 and PW15. The trial Court acquitted 8 accused persons and convicted the applicants.
4. On going through the evidence of eye witnesses we find that specific role of assault with chopper on the head of deceased is

attributed to accused Lalit. He had taken the deceased to the spot of incident. Chopper is recovered from him. Overt act is also attributed to accused Yogesh and blood stains of blood group of deceased were found on his clothes.

5. So far as other applicants are concerned, *prima facie*, we find that general allegations are levelled against them. They were on bail during trial. Considering the pendency of jail appeals, these appeals are not likely to be heard in near future. Therefore, their applications deserve to be allowed. In the result, following order:

ORDER

- (i) Criminal Application No.1571/2025 of applicant Lalit alias Raviraj Arvind Palande and Criminal Application No.1151/2025 to the extent of applicant No.1 Yogesh Sanjay Nikale are rejected.
- (ii) Criminal Application No.985/2025 of applicant Viren alias Pintu Dashrath Katarnavare, Criminal Application No.1151/2025 to the extent of applicant No.2 Vishal Maikal Mokal and Criminal Application No.1565/2025 of applicant Rahul Eknath Dhivar, are allowed.
- (iii) The substantive sentence of imprisonment imposed by learned Additional Sessions Judge, Rahata, Dist.

Ahmednagar in Sessions Case No.227/2024, vide judgment and order dated 21/02/2025, on applicants Viren alias Pintu Dashrath Katarnavare, Vishal Maikal Mokal and Rahul Eknath Dhivar is suspended during the pendency of appeals.

- (iv) Applicants Viren alias Pintu Dashrath Katarnavare, Vishal Maikal Mokal and Rahul Eknath Dhivar be released on bail on furnishing personal bond of Rs.25,000/-, with one surety in the like amount.
- (v) Hearing of appeals be expedited.
- (vi) Criminal applications are accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)

(NITIN B. SURYAWANSHI, J.)