

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 4790 OF 2024

Vaibhav Dilip Motkatte ...Applicant
VERSUS
The State of Maharashtra ...Respondent

**WITH
CRIMINAL BAIL APPLICATION NO. 3283 OF 2024**

Pandit @ Suraj Shashikant Mandale ...Applicant
VERSUS
The State of Maharashtra ...Respondent

**WITH
CRIMINAL BAIL APPLICATION NO. 4793 OF 2024**

Nilesh Kashinath Motkatte ...Applicant
VERSUS
The State of Maharashtra ...Respondent

**WITH
CRIMINAL BAIL APPLICATION NO. 4828 OF 2024**

Rahul Balu Motkatte ...Applicant
VERSUS
The State of Maharashtra ...Respondent

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Mr. Ramanik Pawar a/w Ms. Samiksha Pawar, Ms. Trupti Jambulkar, Mr. Samadhan M. & Ms Dhanashree Jagdale, Advocate for the Applicants.

Mr. S. S. Chaudhari with Mr. S. V. Walve, A.P.P. for the Respondent – State.

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CORAM : N. R. BORKAR, J.
DATE : 20.02.2025.

P.C.:

1. Since all these applications for bail are arising out of one and the same crime, they are being disposed of by this common order.
2. The applicants came to be arrested in Crime No. 29 of 2024 registered at Bhilwadi Police Station Dist- Sangli, for the offences punishable under Sections 302, 307, 326, 324, 323, 504, 506, 143, 147, 149 of the Indian Penal Code and Sections 37(1)(3) read with 135 of the Maharashtra Police Act.
3. It is alleged that on the date of incident which took place on 26.02.2024, the present applicant and other co-accused on account of some suspicion were assaulting witness Vaibhav Patil. It is alleged that at that time the complainant and his brother, i.e. deceased came there to intervene. It is alleged that the present applicant and other co-accused assaulted them also by iron pipe and cement block. It is alleged that on 3.3.2024 the deceased succumbed to his injuries.
4. I have heard the learned counsel for the applicants and the learned APP for the respondent/State.
5. The bail is sought on the ground of parity. In support of the said ground, the learned counsel for the applicant has placed on record the copy of the order passed by this Court dated 21.10.2024 in Criminal Bail Application No. 3290 of 2024 and order dated 26.11.2024 in Criminal Bail

Application No.3291 of 2024.

6. The learned APP for the respondent-State submits that the role attributed to the applicant in Criminal Bail Application No.4793 of 2024 namely Nilesh Motkatte is not similar with the co-accused to whom this Court has released on bail.

7. I have perused the charge-sheet. According to the prosecution, the co-accused Arjun Motkatte has assaulted the deceased and the complainant. In that view of the matter, I am inclined to release the applicants on bail. In the result, the following order is passed:

ORDER

A] The Applications are allowed.

B] The applicants be released on bail in Crime No. 29 of 2024 registered at Bhilwadi Police Station Dist- Sangli, for the offences punishable under Sections 302, 307, 326, 324, 323, 504, 506, 143, 147, 149 of the Indian Penal Code and Sections 37(1)(3) read with 135 of Maharashtra Police Act on furnishing P.R Bond in the sum of Rs.25,000/- each (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

C] The applicants shall not enter into limits of Sangli district, till the conclusion of the trial except to attend the dates before the trial Court;

D] The applicants shall provide their residential address and name of the nearby police station to the IO, which they shall attend on 1st and 16th day of every month between 10.00 a.m to 11.00 a.m., till the conclusion of the trial except on the date of trial;

E] The applicants shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also not tamper with the evidence;

F] Liberty is granted to the State to apply for cancellation of bail in case of any breach of condition or if the applicants commit similar offence;

G] The applicants shall attend the trial before the trial Court regularly on every date unless exemption is granted by the trial Court.

8. Applications stand disposed of accordingly.

(N. R. BORKAR, J.)