

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

BAIL APPLICATION NO. 3384 OF 2024

Dnyandeo Vitthal Pawar	...Applicant
Versus	
The State of Maharashtra & Anr.	...Respondents

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Mr. Sanjeev Kadam Senior Advocate a/w Mr. Chandarani Gore,
Mr. Prashant Raul, Ms. Varsha Chavan, Mr. Suraj Mhaghut and
Mr. Prateek Deshmukh, Advocate for the Applicant.

Mrs. G. P. Mulekar, A.P.P. for the Respondent – State.

Mr. S. B. Patil (API), present.

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CORAM	:	N. R. BORKAR, J.
DATE	:	13th FEBRUARY, 2025.

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No.644 of 2021 registered at Indapur Police Station, Pune, for the offences punishable under Sections 302, 201 and 120 (B) read with Section 34 of the Indian Penal Code (IPC).
3. The deceased was the brother of the present applicant. According to the prosecution, on account of partition of ancestral land, there was a dispute between the

deceased and his other three brothers including the present applicant. It is alleged that on account of the said dispute, on the date of incident, which took place on 11-07-2021 the present applicant and other co-accused committed the murder of the deceased.

4. I have heard the learned Senior Counsel for the applicant and learned A.P.P 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 order passed by this Court dated 5th July 2024 in Bail Application No.1443 of 2024. By the said order, this court has granted bail to the co-accused Sudhir Dnyandeo Pawar. The learned Senior Counsel for the applicant submits that role attributed to the said co-accused Sudhir Pawar and the present applicant is similar.

6. On the other hand, the learned A.P.P for the Respondent-State submits that considering the nature of offence, the applicant may not be released on bail.

7. I have perused the statement of the eye-witness

Ramesh Trimbak Madake. He has attributed similar role to the present applicant and the co-accused Sudhir Pawar. In that view of the matter, I am inclined to release the applicant on bail.

ORDER

- (i) Criminal Bail Application is allowed;
- (ii) The applicant is directed to be released on bail in connection with Crime No.644 of 2021 registered at Indapur Police Station, Pune, for the offences punishable under Sections 302, 201 and 120 (B) read with Section 34 of the IPC on executing PR. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount;
- (iii) The applicant shall not enter into the limits of Pune District till the conclusion of the trial except to attend the dates before the Trial Court;
- (iv) The applicant shall attend the concerned Police Station within whose jurisdiction he is going to reside after his release, once in a month i.e., on first Saturday till conclusion of trial;
- (v) The applicant shall not tamper with the prosecution evidence;
- (vi) Application stands disposed of accordingly.

(N. R. BORKAR, J.)