

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

CRIMINAL BAIL APPLICATION NO.3638 OF 2024

1. Rajesh Dhakal Rao

2. Ramdas Kase Rao

...Applicants

Versus

The State of Maharashtra

...Respondent

....

Ms. Saili N. Dhuru, Advocate for the Applicants in Bail Application No.3633 of 2024.

Ms. Geeta Mulekar, A.P.P. for the Respondent – State.

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CORAM : N. R. BORKAR, J.

DATE : 07th JANUARY, 2025.

P.C.:

1. This is an application for regular bail.

2. The learned counsel for the applicants on instructions seeks leave to withdraw the present application *qua* the applicant No.1 - Rajesh Dhakal Rao with liberty to file fresh application after six months.

3. The applicant No.2 - Ramdas Kase Rao came to be arrested in Crime No. I-76 of 2020 registered with Kasa Police Station, Dist. Palghar, for offences punishable under Sections 302, 307, 120(B), 353, 332, 341, 342, 427, 109, 117, 143, 144, 145, 147, 148, 149, 152, 188, 201, 269, 270, 290, 505 (2) r/w Section

34 of the Indian Penal Code r/w Sections 51(b), 52, 54 of the Disaster Management Act, 2005 and Sections 2, 3, 4, 5 of the Epidemic Act, 1897 and Sections 135, 37(1)(3) of the Destruction of Public Property Act, 1984.

4. The bail is sought on the ground of parity. In support of submission, the learned counsel for the applicants has placed on record the copy of order passed by this Court dated 2nd July 2024 in Criminal Bail Application No.1956 of 2023. By the said order, this Court has released the co-accused Mahesh Dhakal and other co-accused, on bail.

5. I have perused the charge-sheet. The role attributed to the applicant No.2 in the crime and the said co-accused is identical. In that view of the matter, I am inclined to release the applicants on bail.

ORDER

(i) Criminal Bail Application is partly allowed;

(ii) The application is disposed of as withdrawn *qua* the Applicant No.1 - Rajesh Dhakal Rao with liberty to file fresh application after six months.

(iii) The applicant No.2 - Ramdas Kase Rao is directed to be released on bail in connection with Crime No. I-76 of 2020 registered with Kasa Police Station, Dist. Palghar, for offences

punishable under Sections 302, 307, 120(B), 353, 332, 341, 342, 427, 109, 117, 143, 144, 145, 147, 148, 149, 152, 188, 201, 269, 270, 290, 505 (2) r/w Section 34 of the Indian Penal Code r/w Sections 51(b), 52, 54 of the Disaster Management Act, 2005 and Sections 2, 3, 4, 5 of the Epidemic Act, 1897 and Sections 135, 37(1)(3) of the Destruction of Public Property Act, 1984 on executing P. R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount;

(iv) The applicant 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;

(v) Application is disposed of in the aforesaid terms.

(N. R. BORKAR, J.)