

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 4368 OF 2024

Rahul @ Sonya Mahadev Waybase ...Applicant
V/s.
The State of Maharashtra ...Respondent.

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Adv. Priyal G. Sarda a/w. Adv. Rajabhau Chaudhari, Adv. Shumbham Sane, Adv. Seema S. Dighe i/b Mr. Kishan Chaudhari for the Applicant.
Mrs. Veera Shinde, APP for the Respondent/State.

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CORAM : N.R. BORKAR, J.
DATE : 26.02.2025.

P.C. :

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No.1502 of 2020 registered at Sinhgad Police Station, Pune for the offence punishable under Sections 302, 109 read with 34 of the Indian Penal Code, Section 4(25) of the Arms Act and Section 37(1) read with 135 of the Maharashtra Police Act.
3. According to the prosecution, on the date of incident, which took place on 04.05.2020, the present applicant and other co-accused assaulted the deceased by sharp weapons and committed her murder on account of previous dispute.

4. The bail is sought on the ground of parity. In support of said ground, the learned counsel for the applicant has relied upon the order passed by this Court dated 09.09.2024 in Bail Application No.3597 of 2022. By the said order, this Court has released the co-accused Akshay Waibase on bail.

5. I have perused the statement of eye-witness Sangram Gaikwad. The *overt-act* attributed to the present applicant and the co-accused Akshay Waibase appears to be identical. In that view of the matter, I am inclined to release the applicant on bail. In the result, the following order is passed.

ORDER

A] The Application is allowed.

B] The applicant be released on bail in C.R. No. 1502 of 2020 registered at Sinhgad Police Station, Pune for the offence punishable under Sections 302, 109 read with 34 of the Indian Penal Code, Section 4(25) of the Arms Act and Section 37(1) read with 135 of the Maharashtra Police Act on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

C] The applicant shall not enter within the jurisdiction of Sinhgad Road Police Station, Pune till conclusion of the trial.

D] The applicant shall not tamper with the prosecution evidence.

E] The applicant shall furnish his address and contact details to the concerned police station and intimate the change, if any.

F] It is made clear that the violation of any of the conditions will make the applicant liable for cancellation of bail.

[N.R.BORKAR, J.]