

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

CRIMINAL BAIL APPLICATION NO. 4536 OF 2024

Yogesh Shravan Bodke

...Applicant

VERSUS

The State of Maharashtra

...Respondent

....

Mr. Akshay Bankapur a.w Mr. Bhavesh R. Saindanvise,
Advocate for the Applicant.

Mr. T. G. Khan, A.P.P. for the Respondent – State.

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CORAM : N. R. BORKAR, J.
DATE : 11.03.2025.

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No. 555 of 2020 registered at Upnagar Police Station, District-Nashik for the offences punishable under Sections 302, 395, 397, 143, 147, 148, 149, 120(B) & 201 of the Indian Penal Code, Sections 3(1)(i)(ii), 3(2), 3(3) & 3(4) of the Maharashtra Control or Organized Crime Act and Sections 3/25 & 4/25 of the Arms Act r/w 135 of the Maharashtra Police Act.
3. According to the prosecution, the present applicant is member of organised crime syndicate formed by co-accused Sagar Mhaske. It is alleged that on the date of

incident which took place on 15.11.2020, the present applicant and other co-accused committed the murder of Yogesh Chayal due to previous enmity.

4. 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 dated 01.04.2024 passed by Special Court Nashik below Exhibit 235 in special MCOC case No. 169 of 2021. By the said order, the Sessions Court has released gang leader Sagar Suresh Mhaske.

5. The learned APP for the respondent/State submits that the applicant is involved in serious crime of murder. It is submitted that there are criminal antecedents against the applicant.

6. However, as gang leader has been granted bail, 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 Crime No. 555 of 2020 registered at Upnagar Police Station, District- Nashik for the offences punishable under Sections 302, 395, 397, 143, 147, 148, 149, 120(B) & 201 of the Indian Penal Code, Sections 3(1)(i)(ii), 3(2), 3(3) & 3(4) of the Maharashtra Control or Organized Crime Act and Sections 3/25 and 4/25 of the Arms Act r/w 135 of the Maharashtra Police Act

on furnishing P.R Bond in the sum of Rs.50,000/- (Rupees Fifty Thousand) with one or two sureties in the like amount.

C] The applicant shall not enter into the limits of Nashik district till conclusion of trial, except to attend the dates before the trial Court.

D] The applicant shall attend the concerned police station within whose jurisdiction he is going to reside after is release once in a month, i.e., on first Saturday between 11:00 am to 2:00 pm, till conclusion of the trial.

7. Application stands disposed of accordingly.

(N. R. BORKAR, J.)