

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 5345 OF 2024

Tushar @ Kalya Appa Mohite ...Applicant
V/s.
The State of Maharashtra ...Respondent.

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Mr. Nikhil G. Hire for the Applicant.
Mr. S.V. Walve, APP for the Respondent/State.

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CORAM : N.R. BORKAR, J.
DATE : 28.02.2025.

P.C. :

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No.333 of 2024 registered at Vadner-Khakurdi Police Station, Nashik rural for the offences punishable under Sections 304(2), 310(2), 61(2)(c) of Bharatiya Nyaya Sanhita.
3. According to the prosecution, on the date of incident, which took place on 8.8.2024, the complainant was going to his office on motorcycle to deposit the amount of Rs.55,600/-, which he has collected from the customers of his finance company. It is alleged that he was carrying the said amount in the bag. The allegations against the present applicant and co-accused are that they snatched the said bag and ran away.

4. I have heard the learned counsel for the applicant and the learned APP for the respondent – State.

5. The bail is sought on the ground of parity. In support of submission, learned counsel for the applicant has placed on record the order passed by the Sessions Court dated 22.11.2024 in Criminal Bail Application No.1088 of 2024. By the said order, the learned Sessions Court has released the co-accused Mahendra Sonawane on bail.

6. I have perused the charge-sheet. The role attributed to the present applicant and the role attributed to the co-accused Mahendra Sonawane appears to be similar. Learned APP submits that the applicant is involved in one more crime. However, considering the overall facts and circumstances and as the applicant is in jail for more than 5 months, I am inclined to release him 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. 333 of 2024 registered at Vadner-Khakurdi Police Station, Nashik rural for the offences punishable under Sections 304(2), 310(2), 61(2)(c) of Bharatiya Nyaya Sanhita, 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 attend the concerned police station once in a month ,i.e., on first Saturday between 11.00 a.m. to 2.00 p.m. till conclusion of the trial.

D] The applicant shall not commit any other crime.

[N.R.BORKAR, J.]