

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

CRIMINAL BAIL APPLICATION NO.5371 OF 2024

Bhimraj Raju Kamble Applicant

V/s.

The State of Maharashtra Respondent

**NILAM
SANTOSH
KAMBLE**
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Ms.Shubhangi Parulekar a/w Mr.Ajay Bagmode, for the
Applicant.

Ms.Poonam P. Bhosale, APP, for Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 10th MARCH 2025

P.C:-

. By this Application, Applicant is seeking regular bail in Crime No.75 of 2019 registered with Dattawadi Police Station, Pune, for the offences punishable under Sections 302, 307, 324, 143, 147, 148, 149, 120-B and 201 of the Indian Penal Code, 1860 ('IPC' for short) and under Sections 3(25), 4(25) of the Arms Act and under Sections 37(1)(3) read with Section 135 and under Section 142 of the Maharashtra Police Act, 1951 and Sections 3(1)(i)(ii), 3(2), 3(4) of the Maharashtra Control of Organized Crime Act, 1999 ('MCOC' for short).

2. It is prosecution case that, on 13th January 2019 at about 6.00 p.m. Applicant and co-accused murdered the deceased Nilesh Wadkar by assaulting him with sharp weapon and tried to kill the first informant. The allegations against the Applicant are that, he assaulted the deceased and first informant with fist and kick blows.

3. It is contention of the learned counsel for the Applicant that, the allegations against the Applicant are that he assaulted the deceased and first informant with fist and kick blows. The learned counsel further submitted that, this Court has granted bail to the co-accused having same allegations, hence Applicant is entitled for bail on principle of parity and requested to allow the Application.

4. It is contention of the learned APP that, the Applicant is part of group who assaulted the deceased with sharp weapon. The Applicant is in conspiracy to kill the deceased. He had active involvement in the said crime. If Applicant released on bail he may abscond or he may threaten prosecution witnesses. There is recovery of sword, sickle and blood stains clothes from

the Applicant No.2-Shubham Khade. Hence, requested to reject the Application.

5. I have heard both learned counsel. Perused charge-sheet.

6. The allegations against the Applicant are that, he assaulted the first informant and deceased with fist and kick blows. This Court has granted bail to Raj Aadhav, Yogesh Pawar and Dipak Khirid. The allegations against these accused are same like Applicant. Considering these facts, Applicant is entitled for bail on principle of parity and I pass following order.

ORDER

(i) The Applicant-Bhimraj Raju Kamble, be released on bail in Crime No.75 of 2019 registered with Dattawadi Police Station, Pune, on furnishing PR bond of Rs.25,000/- with one or two solvent sureties in the like amount.

(ii) 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 framing of charge.

(iii) The Applicant shall not tamper with the evidence and/or influence the prosecution witnesses.

(iv) The Trial Court shall decide the case on its own merits and in accordance with law, uninfluenced by the observations made in this order.

(v) Application is allowed in the aforesaid terms.

(SHIVKUMAR DIGE, J.)