

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

INTERIM APPLICATION NO.2880 OF 2024

IN

CRIMINAL APPEAL NO. 855 OF 2024

Rahul Yadav @ Kaindi

Ramsahay Yadav

... Applicant/Appellant

V/s.

State of Maharashtra

... Respondent

Mr. M.K. Kochrekar a/w Mr. Rahul Singh, Ms. Pranali Raut, Ms.Varsha Sawant i/b Adv. Prabha Badadare for the Applicant/Appellant.

Ms. Madhavi H. Mhatre, A.P.P for Respondent-State.

Mr. Ankur Pahade a/w Mr. Sanjay Kokane for the Intervenor/Victim.

CORAM : A. S. GADKARI AND

RANJITSINHA RAJA BHONSALE, JJ.

DATE : 8th DECEMBER, 2025

P.C. :

1) This is an Application filed by the Accused No.3 for suspension of sentence and releasing him on bail during the pendency of his Appeal.

2) Perusal of record indicates that, the co-accused i.e. Accused No.2 has been directed to be released on bail by the co-ordinate of this court by its Order dated 8th August 2025. The role attributed to the Applicant is same and or similar rather lesser than the role attributed to the Accused No.2 in the crime. It is alleged that, the Applicant assaulted PW No.1 in the said incident. That, the Accused No.2 had stabbed the deceased Bobby alongwith Accused No.1.

3) In view thereof, the Applicant is entitled to be released on bail on the ground of parity with Accused No.2.

4) Hence, the following Order :-

[i] Applicant namely Rahul Yadav @ Kaindi Ramsahay Yadav is directed to be released on bail in Sessions Case No.151/2018, on furnishing P.R. bond in the sum of Rs.1,00,000/- with one or two sureties in the like amount.

[ii] Applicant shall maintain good behaviour and desist from any anti social activity during the operation of the bail Order.

[iii] Applicant shall ensure due representation before this Court as and when his Criminal Appeal is listed for hearing.

[iv] Applicant shall not, in any manner, make attempt to intimidate the prosecution witnesses.

[v] Applicant shall also submit an Affidavit before the learned trial Court, at the time of furnishing his surety, to the effect that he will abide by all terms and conditions imposed by the Court for releasing him on bail.

[vi] Before his release from Jail, the Applicant shall give his prospective residential address where he intends to reside.

[vii] After his release from jail the Applicant shall not enter the jurisdiction of Thane Police Commissionerate Area.

[viii] The Applicant shall attend the local Police Station where he intends to reside after his release from jail on every first Monday of each month between 11.00 a.m. and 1.00 p.m. initially for a period of one year and thereafter on every first Monday between 11.00 a.m. and 1.00 p.m. of every third calendar month i.e. four times in a year, till the disposal of his Appeal.

5) Application is allowed in the aforesaid terms.

(RANJITSINHA RAJA BHONSALE, J.)

(A.S. GADKARI, J.)