

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 522 OF 2025**

1. Deepak Bahadur Dilli Damai
2. Raj Bahaddur Kami Chandra
Bahaddur Kami ...Applicants
Versus
The State of Maharashtra ...Respondent

**WITH
BAIL APPLICATION NO. 238 OF 2025**

Bhimvishwarkarma @
Manvishwakarma ...Applicant
Versus
The State of Maharashtra ...Respondent

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Ms. Tripti R. Shetty, Advocate for the Applicants in both BA.

Mr. T. G. Khan in BA 522/2025 and Mr. S. S. Choudhary in BA 238/2025, A.P.P. for the Respondent – State.

Mr. Nagnath J. Khune (API), Local Crime Branch, Solapur Gramin, present.

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**CORAM : N. R. BORKAR, J.
DATE : 17th APRIL, 2025.**

P.C.:

1. As both these applications for bail are arising out of one and the same crime and thus they are being disposed of by this common order.

2. The applicants came to be arrested in Crime No.1356 of 2021 registered at Sangola Police Station, Sangola, District : Solapur, for the offences punishable under Sections 457, 380, 401 read with Section 34 of the Indian Penal Code,

1860 (for short 'IPC') and Sections 3, 5, 14 and 14-A of the Foreigners Act, 1946.

3. According to the prosecution, in the intervening night of 28.10.2021 and 29.10.2021, the present applicants and other co-accused committed dacoity in District Central Co-operative Bank, at Shivne. It is alleged that the applicants are citizen of Nepal and are illegally residing in India.

4. The bail is sought on the ground of parity. The learned counsel for the applicant in support of the said ground has placed on record the copy of the order passed by this Court dated 19th December 2024 in Criminal Bail Application No.1446 of 2024. By the said order, this Court has granted bail to the co-accused Deep Vikramsingh Negi Bhansingh Negi. The learned counsel for the applicant submits that similar role is attributed to the present applicants and the said co-accused Deep Vikramsingh Negi Bhansingh Negi.

5. On the other hand, the learned APP for the Respondent/State submits that applicants are citizens of Nepal and are illegally residing in India. It is submitted that considering the nature of offence the applicants may not be released on bail.

6. Similar submissions were made in Bail Application No. 1446 of 2024. Inspite of it, this Court has granted bail to co-accused Deep Vikramsingh Negi Bhansingh Negi.

7. Considering the fact that this Court has granted bail

to similarly circumstanced co-accused Deep Vikramsingh Negi Bhansingh Negi and thus, I am inclined to release the present applicants on bail.

ORDER

- (i) Both the Criminal Bail Applications Are allowed;
- (ii) The applicants are directed to be released on bail in connection with Crime No.1356 of 2021 registered at Sangola Police Station, Sangola, District : Solapur, for the offences punishable under Sections 457, 380, 401 read with Section 34 of the Indian Penal Code, 1860 (for short 'IPC') and Sections 3, 5, 14 and 14-A of the Foreigners Act, 1946, on executing PR. Bond in the sum of Rs.25,000/- each with one solvent surety in the like amount;
- (iii) The applicants shall provide their residential address to the investigating officer and shall attend the concerned police station on every Sunday between 10.00 am to 11.00 am, till the conclusion of the trial;
- (iv) The applicants shall not leave the territorial jurisdiction of the Trial Court without it's permission;
- (v) It would be open to the prosecution to file an application for cancellation of bail in case the applicants commit breach of any of the above conditions;
- (vi) Both the Applications stand disposed of accordingly.

(N. R. BORKAR, J.)