

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

CRIMINAL BAIL APPLICATION NO. 1629 OF 2025

Sumit Ashok Lot.

... Applicant.

Vs.

The State Of Maharashtra

... Respondents.

Ms. Savvy Kolhekar i/b. Mr. Aniket Vagal, Advocate for the Applicant.

Mr. T.G. Khan, APP for Respondent/State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 11th JULY, 2025.

P.C. :

1. Heard Mr. Savvy Kolhekar, learned Advocate for the applicant and Mr. T.G. Khan, learned APP for the State.

2. By the present Application filed under section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short "BNSS"), Applicant is seeking regular bail in Crime No.102 of 2023 registered with Bhadrakali Police Station, Nashik, for the offences punishable under Sections 302 read with 34 of the Indian Penal Code 1860 (for short "IPC"). Said Crime is registered as Sessions Case No. 236 of 2023.

3. Case of prosecution is that Prakash i.e. brother of Kailas Bapu Dandekar (Informant) was assaulted by the Applicant

(Accused No. 2) and Pawan Lot (Accused No. 1) with stump and iron rod. Prakash sustained head injuries and succumbed to the same.

4. Applicant was arrested on 22nd March, 2023 and since then he is in jail. Bail Application filed by the Applicant at Exh. 11 in Sessions Case No. 236 of 2023 was rejected by the learned Additional Sessions Judge by order dated 5th March, 2025.

5. Ms. Savvy Kolhekar, learned Advocate for the Applicant submits that the involvement of the Applicant is similar and identical to the involvement of Pawan Lot (Accused No. 1) in the said crime. She submits that Accused No. 1 is released on bail by order dated 18th February 2025 passed by this Court in Bail Application No. 4185 of 2023 (at page 184 of the paper book). She therefore, restricts the present Bail Application on the ground of parity.

6. Mr. Khan, learned APP for the State submits that though the offence is serious, however, allegations and the involvement of both the Accused in the said crime is similar. He submits that the case of the Applicant can be considered on the ground of parity, in view of the order dated 18th February, 2025 passed by this Court in Bail Application No. 4185 of 2023.

7. I have perused the record with the assistance of the

learned Advocates.

8. Charge-sheet reveals that the allegation and involvement of both the accused in the crime is similar and identical. Role assigned to the Applicant is similar to the role as assigned to the Accused No. 1. Accused No. 1 being released on bail by this Court, the Applicant who is similarly placed like Accused No. 1 is entitled to bail on the principle of parity.

9. In view of the above, Bail Application is allowed on the following conditions :

(i) Applicant be released on bail in connection with C.R. No.102 of 2023 registered with Bhadrakali Police Station, Nashik, on furnishing P.R. Bond in the sum of Rs.50,000/- with one or two sureties in the like amount to the satisfaction of the learned Additional Sessions Judge, Nashik.

(ii) Applicant shall not tamper with prosecution evidence and also shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or the Investigating Officer.

(iii) Applicant shall attend the concerned Police Station once in a month i.e. on First Monday of every

month from 11.00 a.m. to 3.00 p.m. till framing of charge.

(iv) Applicant shall attend each and every date of hearing in Sessions Case No. No. 236 of 2023 pending before the Additional Sessions Judge, Nashik, unless exempted.

10. Criminal Bail Application No. 1629 of 2025 is disposed of on the above terms.

(ASHWIN D. BHOBE, J.)