

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

CRIMINAL BAIL APPLICATION NO. 2667 OF 2025

Rajendra Kachru Thorat ... Applicant.
Vs.
State Of Maharashtra ... Respondent.

Mr. Mihir N. Kasliwal i/b Rahul Kasliwal for the Applicant.
Ms. P. H. Gaikwad, APP for the Respondent/State.
Mr. Pramod D. Sarowar-PSI, Wavi Police Station.

CORAM : ASHWIN D. BHOBE, J.

DATE : 9th JULY, 2025.

P.C. :

1. Heard Mr. Kasliwal, learned Advocate for the Applicant and Ms. Gaikwad, learned APP for State.

2. By the present Application filed under section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short “BNSS”), the Applicant is seeking regular bail in Crime No. 366 of 2024, registered at Wavi Police Station for the offences punishable under Sections 352, 118(2), 118(1), 103(1), 3(5) of the Indian Penal Code.

3. There are 8 Accused in the said crime. Applicant is Accused No.3.

4. Case of the prosecution is that the wife of Accused No.1 was in a relationship with the deceased. She eloped with the deceased. On account of the said act, the Accused No.1 and the other Accused are said to have assaulted the deceased with sticks and committed his murder.

5. Applicant was arrested on 3rd September 2024. Bail Application No. 124 of 2025 filed by the Applicant was rejected by the learned Additional Sessions Judge, Nashik-road by order dated 21st June 2025.

6. Ms. Kasliwal, learned Advocate for the Applicant, submits that the Applicant is seeking bail on the ground of parity. He submits that Mahesh Gopinath Thorat (Accused No. 5), who is alleged to be in a identical situation like that of the Applicant, was released on bail by order dated 25th February 2025, passed in Criminal Bail Application No. 5325 of 2024. He clarifies that the involvement of the Applicant in the said crime and the material against the Applicant in the said crime are similar and identical to that of Accused No.5. He therefore seeks bail on the ground of parity.

7. Mr. Gaikwad, learned APP for the state, submits that the role involvement of the Applicant and the Accused No.5 in the said crime is similar.

8. I have perused the records with the assistance of the Advocates of the parties.

9. Perusal of the charge-sheet reveals that the role assigned to the Applicant (Accused No.3) is similar and identical to that of the Accused No.5 in the said crime. The statement of the Complainant, who is the eyewitnesses, has not attributed any specific overt act against the Applicant. Applicant being similarly placed like that of the co-accused No.5 and the role assigned to the Applicant being similar to that of Accused No.5, the Applicant would be entitled to bail on the principle of parity.

10. Ms. Kasliwal, learned Advocate for the Applicant, submits that the Applicant does not have any criminal antecedents. Investigation is completed, and the charge-sheet is filed.

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

(a) Applicant be released on bail in Crime No. 366 of 2024 registered with Wavi Police Station upon furnishing P.R. Bond in the sum of Rs. 25,000/-each with one or two sureties in the like amount, to the satisfaction of the Additional Sessions Judge, Nashik-road.

(b) Applicant shall not directly or indirectly make any

inducement, threat, or promise to the Complainant or any person acquainted with the facts of the case, as also not tamper with the evidence.

(c) Applicant shall attend the trial before the Trial Court as and when the date is fixed, unless exempted by the Court.

(d) Applicant upon release within 3 days shall furnish his residential addresses with proof and contact details to the Investigating Officer, Wavi Police Station, Nashik.

12. Criminal Bail Application No. 2667 of 2025 stand disposed of in the above said terms.

(ASHWIN D. BHOBE, J.)

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