

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 3034 OF 2025

Kunal Kailas Panhale

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Akshay Bankapur, learned Advocate for the Applicant.

Mr. Amit A. Palkar, learned A.P.P. for the State/Respondent.

PSI Mr. Manohar F. Kshirsagar attached to Mhhasrul Police Station, District-Nashik is present in the Court.

CORAM : ASHWIN D. BHOBE, J.

DATE : 1st AUGUST 2025.

P.C. :

1. Heard Mr. Akshay Bankapur, learned Advocate for the Applicant and Mr. Amait Palkar, learned A.P.P. for the State/Respondent.

2. By the present Application filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (“**BNSS**” for short), the Applicant is before this Court seeking regular bail in connection with Crime No. 153 of 2024 registered with Mhasrul Police Station, District-Nashik for the offences punishable under Sections 302, 120(B) and 201 of the Indian Penal Code, 1860 (“**IPC**” for short).

3. Mr. Akshay Bankapur, learned Advocate for the Applicant submits that the abovesaid crime is registered as Sessions Case No. 433 of 2024 and is pending on the file of learned Additional

Sessions Judge-8, Nashik.

4. There are 4 accused persons in the present crime. Applicant is Accused No. 4.

5. Case of the prosecution is that on the intervening night of 15th June, 2024 and 16th June, 2024 Prakash Todkar (deceased) had an altercation with the Vijay Dattatray Aher (Accused No. 1), which resulted in scuffle/fight between them. Applicant and other two accused persons are said to be with Accused No. 1 during said fight. Subsequent to the said fight, Prakash Todkar was found dead and his body was lying in a pool of blood. Weapon of assault used in the said crime is a cement block, which was lying near the body of the deceased.

6. Applicant was arrested on 17th June, 2024 and since then he is in jail. Bail Application at Exhibit-10 filed by the Applicant in Sessions Case No. 433 of 2024 was dismissed by the learned Additional Sessions Judge-8, Nashik by order dated 5th July 2025.

7. Mr. Akshay Bankapur, learned Advocate for the Applicant submits that the Applicant is seeking bail on the ground of parity. He submits that Sunny @ Prashant Nimba Hadage (Accused No. 3), who has a similar and identical role like that of the Applicant herein, is released on bail by order dated 25th June 2025 passed in Criminal Bail Application No. 2343 of 2025 (page nos. 356 to 361 of the paper-book). He submits that Sanket Pradip Gosavi (Accused No. 2) in the present crime, whose involvement is similar and identical to the role of Applicant, is released on bail by the learned Additional Sessions Judge-3, Nashik by order dated 24th

July 2025 passed in Sessions Case No. 433 of 2025 at Exhibit-23. He tenders a copy of said order, which is taken on record and marked as "X" for identification. He submits that the involvement of Applicant being similar and identical to the role played by Accused Nos. 2 and 3 in the present crime, the Applicant is entitled to bail on the ground of parity.

8. Mr. Amit Palkar, learned A.P.P. for the State/Respondent submits that the involvement of Applicant in the Crime No. 153 of 2024, is similar and identical to the case of Accused Nos. 2 and 3 in the present crime. He therefore submits that the case of Applicant can be considered on the ground of parity.

9. I have perused the records with the assistance of learned Advocates of the parties.

10. Perusal of the charge-sheet indicates that role assigned to the Applicant is similar and identical to the role assigned to Accused Nos. 2 and 3 in the present crime, as submitted by Mr. Akshay Bankapur and confirmed by Mr. Amit Palkar. Applicant being placed to Accused Nos. 2 and 3 in the said crime, would be entitled to bail on the principle of parity.

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

- a. Applicant is directed to be released on bail in connection with Crime No. 153 of 2024 registered with Mhasrul Police Station, District-Nashik for the offences punishable under Sections 302, 120(B) and 201 of the

IPC on executing P.R. Bond in the sum of Rs. 25,000/- (Rupees Twenty-five Thousand Only) with one or two sureties in the like amount to the satisfaction of the Additional Sessions Judge-8, Nashik.

- b. Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of accusation, so as to dissuade him from disclosing such facts to the Court or to any police officer.
- c. Applicant shall not tamper with the prosecution witnesses and evidence in any manner.
- d. Applicant upon his release, within a period of three days from his release, shall furnish his residential address with proof and contact details to the Trial Court and the Investigating Officer, Mhasrul Police Station, District-Nashik and shall keep the same updated, in case of any change thereto.
- e. Applicant shall attend each and every date of hearing before the Trial Court in Sessions Case No. 433 of 2021, unless exempted.
- f. Applicant shall report/attend before the Investigating Officer, Mhasrul Police Station, District-Nashik on 5th and 25th of each month from 10 a.m. to 12 noon.
- g. Applicant shall not leave the State of Maharashtra

without prior permission of Additional Sessions Judge-
8, Nashik.

12. Criminal Bail Application No. 3034 of 2025 stands disposed
of in the abovesaid terms.

[ASHWIN D. BHOBE, J.]

GITALAXMI
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by GITALAXMI
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Date:
2025.08.02
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