

Shivgan

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.3096 OF 2025**

Manish Pawan Rana
Versus
State of Maharashtra

...Applicant

...Respondent

Ms Pravada Raut, i/b Yogesh Rawool, for the Applicant.
Mr Yogesh Y Dabke, APP for the Respondent-State.
Mr Ravindra Parab, PSI attached to Achole Police Station,
MBVV, present.

CORAM DR. NEELA GOKHALE, J.
DATED: 7TH NOVEMBER 2025

PC:-

1. By this Application, the Applicant seeks his enlargement on bail in connection with C.R.No. 38 of 2022 dated 23rd January 2022 registered with the Achole Police Station, Mira-Bhayander Vasai-Virar Commissionerate, for the offences punishable under Sections 302, 452, 143, 144, 147, 148, 149 of the Indian Penal Code, 1860 (for short 'IPC') and under Sections 4 and 25 of the Arms Act, 1959.

2. On 23rd January 2022, 5-6 persons came in the building in which the deceased, Salim Khan, was residing and started banging the door of his Flat No.405. The deceased did not open the door and hence, the said persons broke open the door. The deceased was dragged from his house and assaulted with a sharp weapon. One neighbour, namely, Raymond Dika heard the entire incident from his flat, adjoining the flat of the deceased and called the police on the helpline number. The Police came and found the deceased lying in a pool of blood. Thus, the FIR was registered and total 6 accused persons were arrested. The Applicant is Accused No.4.

3. The Applicant made an application seeking bail before the Additional Sessions Judge, Vasai. However, by order dated 18th March 2025, the said application was rejected. Hence, the Applicant is before this Court seeking the reliefs as prayed.

4. At the very outset, Ms. Pravada Raut, learned counsel appearing for the Applicant, brought to my attention order 7th May 2025 passed by the Co-ordinate Bench of this Court

wherein the Accused No.2 was enlarged on bail. She submitted that the role attributed to the Accused No.2 is identical to the role attributed to the Applicant. She submits that the Applicant was arrested on 8th July 2023 and even as on date, charges are not framed. In these circumstances, she submits that the bail be granted to the Applicant.

5. Per contra, Mr. Yogesh Dabke, learned APP representing the State, resists the Bail Application by saying that the offence is serious as it involves the death of the victim. The offence is committed by all the 6 persons in connivance with each other. They all banged on the door of the deceased and dragged him out of his flat and assaulted him, which resulted in his death. He submits that the trial is likely to commence soon and prays that the Bail Application be rejected.

6. Heard learned counsel appearing for the respective parties and perused the record with their assistance.

7. I have perused the order dated 7th May 2025 passed by the Co-ordinate Bench of this Court granting bail to the Accused No.2. I have also seen the CCTV footage panchanama along with the charge-sheet. The footage clearly indicates that the role attributed to the Applicant is similar to that of the Accused No.2, who is already enlarged on bail by a co-ordinate bench of this Court. Thus, I am inclined to grant bail to the Applicant, only on the ground that his role is *prima facie* identical to that of the Accused No.2, who is already enlarged on bail. Hence, the following order is passed:

ORDER

- i) The Applicant be enlarged on bail, on executing PR Bond in the sum of Rs.50,000/ with one or two local sureties in the like amount;
- ii) The Applicant shall attend the Police Station concerned once in a month on the first Monday of every month between 11:00 a.m. to 02:00 p.m., till the charges are framed;

iii) The Applicant shall attend the Trial Court concerned on each and every date unless exempted by the orders of the Trial Court concerned;

iv) If the Applicant has not deposited his passport, the Applicant shall deposit the same with the concerned Police Station, if any;

v) The Applicant shall not leave India, without the permission of the Trial Court;

vi) The Applicant shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

vii) The Applicant shall inform his latest place of residence and mobile number immediately after being released and / or change of residence or mobile details, if any, from time to time to the Court

seized of the matter and to the Investigating Officer of the concerned Police Station;

viii) The Applicant to co-operate with the conduct of the trial;

ix) Any infraction of the aforesaid conditions shall entail cancellation of bail.

8. Application is allowed in the above terms and is accordingly disposed of.

9. It is made clear that the observations made herein are *prima facie* and are confined to this Application and the learned Trial Judge to decide the case on its own merits, uninfluenced by the observations made herein.

(DR. NEELA GOKHALE, J)