

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 3271 OF 2025

Suraj Bhagwan Thombare

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Rajabhau S. Chaudhari a/w Mr. Ashutosh Chaturvedi, learned Advocates for the Applicant.

Mr. Pandurang H. Gaikwad, learned A.P.P. for the State/Respondent.

PSI Mr. Maroti Metalwad attached to Yavat Police Station, Pune Rural is present in the Court.

CORAM : ASHWIN D. BHOBE, J.

DATE : 20th AUGUST 2025.

P.C. :

1. Heard Mr. Rajabhau Chaudhari, learned Advocate for the Applicant and Mr. Pandurang Gaikwad, 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. 333 of 2024 registered with Yavat Police Station, Pune Rural for the offences punishable under Sections 395 & 120(B) read with 34 of the Indian Penal Code, 1860 (“**IPC**” for short) and Section 3(25) of the Indian Arms Act, 1959.

3. Mr. Rajabhau Chaudhari, learned Advocate for the Applicant

submits that the abovesaid crime is registered as Sessions Case No. 171 of 2024 and is pending on the file of Additional Sessions Judge, Baramati, District-Pune.

4. There are 8 accused persons in the present crime. Applicant is Accused No. 7.

5. Case of the prosecution is that unknown person had called Sandip Kaluram Hargude (Informant) at Bhuleshwar Temple. Accused persons involved in the abovesaid crime, robbed an amount of Rs. 11,30,000/-, 2 mobile phones and key of Swift four-wheeler from the Informant by putting him under the fear, by use of a pistol.

6. Applicant was arrested on 1st April 2024, since then he is in jail. Criminal Bail Application at Exhibit-91 filed by the Applicant in Sessions Case No. 171 of 2024, was rejected by the learned Additional Sessions Judge, Baramati, District-Pune by order dated 26th June 2025.

7. Mr. Rajabhau Chaudhari, learned Advocate for the Applicant submits that the Applicant is seeking bail on the ground of parity. He submits that the involvement of Applicant is similar and identical to the involvement of Deepmala @ Dipti Suryakant Mate (Accused No. 8) in the present crime. He submits that on similar facts, Accused No. 8 has been released on bail by this Court vide order dated 21st July 2025 passed in Criminal Bail Application No. 2827 of 2025 (page nos. 229 to 233 of the paper-book). He therefore submits that the Applicant be granted bail on the ground of parity. In addition, he submits that till date the charge is not

framed in Sessions Case No. 171 of 2024. He submits that the Applicant does not have any criminal antecedents.

8. Mr. Pandurang Gaikwad, learned A.P.P. for the State/Respondent submits that the involvement/role of the Applicant is similar and identical to the involvement/role of Accused No. 8 in Crime No. 333 of 2024 as such, he submits that the case of Applicant can be considered on the ground of parity. He has placed reliance on the page nos. 205 & 206 of the paper-book to submit that the role and involvement of Applicant being similar.

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

10. Records reveal that the role assigned to the Applicant and Accused No. 8 are similar and identical. Applicant does not have any criminal antecedents. Considering the fact that Accused No. 8 has been released on bail on the similar facts, the Applicant 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. 333 of 2024 registered with Yavat Police Station, Pune Rural for the offences punishable under Sections 395 & 120(B) read with 34 of the IPC and Section 3(25) of the Indian Arms Act, 1959 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, Baramati, District-Pune.

- 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 such a person from disclosing the facts to the Court or to any police personnel.
- c. Applicant shall not tamper with the prosecution evidence and shall not contact or influence any witness in any manner.
- d. Applicant upon his release from jail, within a period of three days from his release, shall furnish his cell phone number and residential address with proof to the Investigating Officer, Yavat Police Station, Pune Rural and shall keep the same updated, in case of any change thereto.
- e. Applicant shall co-operate in the conduct of the trial and shall regularly attend the hearing of Sessions Case No. 171 of 2024, pending on the file of Additional Sessions Judge, Baramati, District-Pune, on each and every date, unless exempted from appearance.
- f. Applicant shall report/attend before the Investigating Officer, Yavat Police Station, Pune Rural on 1st Saturday of every month from 10.00 a.m. to 12.00 noon till

framing of the charge by the learned Trial Court in the said case.

12. Criminal Bail Application No. 3271 of 2025 stands disposed of in the abovesaid terms.

[ASHWIN D. BHOBE, J.]

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by GITALAXMI
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Date:
2025.08.20
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