

Spl Case No.147/2025
Ankush Ramteke Vs. State
(CNR NO:- MHYA010025332023)

ORDER BELOW EXH.01

(Passed on 13th June 2025)

This is an application under section 439 of Criminal Procedure Code and under section 21 (4) of MCOCA for grant of regular bail in crime No.682/2023 registered with Awdhutwadi Police Station for the offences punishable under sections 302, 201, 396, 364 of IPC with section 3 (2)(v) of SC & ST (Prevention of Atrocities) Act and 3 (1)(I), 3(2), 3(4) of MCOCA.

2) Heard Mr. H.D. Deshumkh, the learned counsel for applicant and Mrs. M. S. Gangalwar, the learned APP for the respondent.

3) It is submitted by the learned counsel for the applicant that the applicant deserves parity, as three co-accused have been enlarged on bail. There is no evidence against the applicant. He is aged about 24 years old only and he is behind the bars since 2023. Per contra, it is submitted by the learned APP that there was the recovery of Rs.430/- from the applicant. There is a criminal antecedent against him. His name was disclosed by co-accused in his disclosure statement. Witness Digambar Adhawu stated that the applicant and others were consuming alcohol. Thereafter, one person was

brought by the accused Nos.1 and 2 on motorcycle, and thereafter, he was beaten up by the applicant and others. The other witnesses also stated that the applicant and others are in the habit of intimidating the public. It is a heinous offence.

4) The allegations leveled in the charge-sheet against the applicant are to the extent that he was involved in the incident of beating the deceased, for the purpose of robbing him, resulting into his death.

5) The role attributed to co-accused Dipak Puram and the present applicant is similar, as the duo are alleged to be the persons, who were consuming alcohol, and who allegedly assaulted the deceased. Hence, the applicant deserves parity. The role attributed to the accused Nos.01 and 02 is certainly different from the present applicant.

6) Considering the existence of parity, as mentioned above, the applicant deserves to be enlarged on bail, due to which, I proceed to pass the following order.

ORDER

- 1] The application is hereby allowed.
- 2] The applicant in crime No.652/2025 registered with Awdhootwadi Police Station for the offences punishable under sections 115(2), 333, 351(2) and 352 of Bhartiya Nyaya Sanhita, 2023, be released on his executing Personal Bond

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of Rs.1,00,000/-, with solvent surety in the like amount on following conditions :-

- a] The applicant/accused shall not tamper with the prosecution witnesses.

(S. U. Baghele)

Date : 13/06/2025

Additional Sessions Judge,
Yavatmal.