

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

CRIMINAL APPLICATION NO.:6371 OF 2015

Kedar Ravindra Javalkar
VERSUS
The State of Maharashtra

Mr. P. P. Dawalkar, Advocate for Applicant.
Mr. A. R. Kale, A.P.P. for Respondent / State.

WITH

CRIMINAL APPLICATION NO.:5975 OF 2015

Kishor S/o Pandharinath Rathod
VERSUS
The State of Maharashtra

Mr. M. V. Ghatge, Advocate for Applicant.
Mr. A. R. Kale, A.P.P. for Respondent / State.

AND

CRIMINAL APPLICATION NO.:6505 OF 2015

Prashant Ramesh Deshmukh and another
VERSUS
The State of Maharashtra

Mr. A. K. Bhosale, Advocate for Applicants.
Mr. A. R. Kale, A.P.P. for Respondent / State.

CORAM : **INDIRA K. JAIN, J.**

DATE : 05th December, 2015.

ORAL ORDER:

. These are the applications for regular bail in Crime No.255 of 2014 registered at Kannad Police Station, District Aurangabad for the offences punishable under Sections 302, 143, 147, 148, 149, 323 and 504 of the Indian Penal Code.

2 Heard Mr. P. P. Dawalkar, Mr. M. V. Ghatge and Mr. A. K. Bhosale, learned counsel for Applicants and Mr. A. R. Kale, learned APP for State. Perused case papers.

3 Learned counsel for Applicants vehemently contended that similarly placed Accused have been already enlarged on bail by the orders of this Court passed in various applications. It is submitted that role attributed to Applicants is of lesser gravity and thus on the rule of parity they be released on bail.

4 Learned APP submitted that the transcript of video shooting is now available and same specifies the role to each of the Applicants. According to learned APP in view of the video shooting *prima-facie* case exists against the Applicants. The offences are

serious and so learned APP prays to reject the application.

5 Perused the copies of orders in Criminal Application No.4596 of 2015 dated 9th September, 2015, Criminal Application Nos.4215 and 3902 of 2015 dated 17th August, 2015, Criminal Application No. 3040 of 2015 dated 16th July, 2015 and Criminal Application No.5278 of 2015 dated 16th October, 2015.

6 On perusal of FIR and statements of witnesses it is apparent that role attributed to Applicants is of lesser gravity. The Accused to whom main role is attributed in FIR have been already enlarged on bail. So on the rule of parity these applications deserve to be allowed. Accordingly the following order –

ORDER

- I. Criminal Application Nos.6371, 5975 and 6505 of 2015 are allowed.
- II. Applicants are released on bail in Crime No.255 of 2014 registered at Kannad Police Station, District Aurangabad for the offences punishable under Sections 302, 143, 147, 148,

149, 323 and 504 of the Indian Penal Code,
on their furnishing P.R. and S.B. of
Rs.50,000/- (Rupees Fifty Thousand Only)
each with one solvent surety in the like
amount.

- III. They shall not tamper with the prosecution
evidence and shall make themselves
available as and when required for trial.
- IV. They shall not enter the jurisdiction of Kannad
and Aurangabad cities except to attend the
Sessions Case, with prior intimation to police.
- V. Bail before the trial Court.

[INDIRA K. JAIN, J.]