

Dond

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.1335 OF 2015

Sanjeev Babu Ogale

..Applicant.

Vs.

The State of Maharashtra

..Respondent

Mr. Manoj J. Bhatt for applicant.

Ms. M.H. Mhatre, APP for State.

CORAM: A.S. GADKARI, J.

DATE : 15th December 2015.

P.C.

1 The applicant-original accused no.3 is seeking bail in CR No.42 of 2014 dated registered with Meghwadi Police Station, Jogeshwari, Mumbai under Sections 307, 302, 452, 323, 120(B) and 34 of the Indian Penal Code.

2 It is the prosecution case that the present applicant, accused no.2-Vikram Salunke and accused no.7-Darshan Mhatre assisted the original accused nos.4,5,6 and 9 in fleeing from the scene of offence after the original accused nos.4,5,6 and 9 assaulted the victim Rajesh Arshid in his shop. The learned Counsel for the applicant submitted that the original

accused no.2- Vikram Salunke who is similarly situated and has played the similar role as of the applicant has been released on bail by this Court by its order dated 6.5.2015. He has placed the copy of the said order dated 6.5.2015 on record. The learned APP with utmost fairness at her command submits that the principle of parity applies to the present applicant with the original accused no.2 Vikram Salunke. In view of the above, I am inclined to grant bail to the present applicant.

3 Hence, the following order:

- (i) The applicant be enlarged on bail on his furnishing P.R. Bond in the sum of Rs.25,000/- with one or two local sureties in the like amount;
- (ii) The applicant shall inform his latest place of residence and mobile contact 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 Jogeshwari Police Station, Mumbai;
- (iii) The applicant shall attend the Meghawadi Police Station, once a fortnight i.e. on 1st and 3rd Sunday of every month between 10.00 a.m. to 12.00 noon, till the conclusion of the trial;
- (iv) The applicant shall not leave Mumbai and Thane District, without the permission of the Trial Court, till the conclusion of the trial;

(v) The applicant shall not tamper or attempt to threatened/influence the complainant or any persons concerned with the case;

(vi) The applicant shall co-operate in conducting of the trial and shall attend the concerned Court on every date of the hearing;

(vii) It is made clear that if there is breach of any of the conditions as stated above, the prosecution shall be at liberty to seek cancellation of applicant's bail.

4 The application is allowed in the aforesaid terms.

(A.S. GADKARI,J.)