

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.1626 OF 2015

Rampukar Raktu Sah .. Applicant
-Versus-
State of Maharashtra .. Respondent

Mr. Shivaji Farakate for applicant
Ms. S.S.Kaushik, APP for State.

CORAM : A.S.GADKARI, J.

DATE : 9th December 2015.

P.C.

1] The applicant is seeking bail in C.R.No.480 of 2014 registered with Kurla Railway police station dated 16th December 2014 punishable under section 370 of the IPC read with section 26 of the Juvenile Justice and Protection Act, 2000.

2] The investigation is completed and charge sheet is filed on 29th January 2015. The name of the applicant appears at serial No.10 as an accused in the first information report dated 16th December 2014, lodged by Mrs. Sandhya Dhumal working as social worker.

3] Learned Counsel for the applicant submitted that though the name of father of the applicant is "Raktu", it is erroneously mentioned as "Bhikari" at page 22 at Serial No.10 of the compilation which is the part of F.I.R. He submitted that the correct name of the applicant is Rampukar Raktu Sah. The correct name is reflected on the arrest form of the applicant at page 71 of the present compilation, wherein the name of applicant has been mentioned as Rampukar Raktu Sah. In the circumstances, he submitted that the correct name of the applicant is Rampukar Raktu Sah as mentioned in the cause title of the present application.

4] Learned Counsel for the applicant submitted that the co-accused by name Abdul Rashid Faeem Shaikh named at serial No.11 in the said F.I.R. has been released on bail by this Court by an order dated 13th July 2015.

5] Learned APP with utmost fairness at her command submits that the principle of parity is applicable to the applicant in the present case and further custody of the applicant herein is unwarranted.

6] I have perused the order dated 13th July 2015 and in my opinion, the applicant deserves to be released on bail on the ground of parity.

Hence, following order:-

(a) The applicant is enlarged on bail in C.R.No.480 of 2014 registered with Kurla Railway police station on his furnishing P.R.Bond of Rs.25,000/- with one or two solvent sureties in the like amount;

(b) The applicant shall report to the Kurla Railway Police Station on first Sunday of every month between 10.00 a.m. and 12.00 noon, till the conclusion of trial;

(c) The application is allowed in the aforesaid terms;

(A.S.GADKARI, J)