

FARAD CONTINUATION SHEET No.IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.1821 OF 2015

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Irfan Shaikh for the Applicant.
Ms.S.S.Kaushik, APP. for the State.

CORAM : A.S.GADKARI, J.
DATE : 4th December 2015

P.C.

The applicant is seeking bail in CR No.59/2015 registered with Rabale (MIDC) Police Station, Thane under Section 307, 326, 504 read with 34 of the I.P.C.

2) It is the case of the prosecution that the injured persons namely Devendra and Radheshyam were assaulted by co-accused Nilesh and Aju @ Kaliya with the aid of the scissor and knife respectively. The role attributed to the present applicant is that he was holding scissor in his hand and other two co accused persons inflicted blows on the injured persons. When the people in the surrounding area gathered, the present applicant and the co-accused Nilesh ran away from the spot. Learned counsel for the applicant produced certified copy of the order dated 7/9/2015 in Bail

Application No.1753/2015 passed by the Trial Court. By the said order the learned Trial Court has released the main accused namely Nilesh on bail. In my opinion the role attributed to the present applicant in the present crime is lessor in comparison than the role attributed to co-accused Nilesh Singh.

3) In view of the same, the present applicant is entitled to claim parity with co-accused Nilesh Singh. The application is therefore, allowed on the same terms. Hence, the following order.

ORDER

- a) The applicant be released on bail in CR NO.59/2015 registered with Rabale (MIDC) Police Station on his furnishing PR bond of Rs.30,000/- with one or two solvent sureties in the like amount.
- b) The applicant shall attend the Rabale (MIDC) Police Station on every first Monday between 10.00 a.m to 12.00 noon till the conclusion of the trial.
- c) The applicant shall not tamper the prosecution evidence and/or influence the prosecution witnesses.
- d) After release from Jail the applicant shall furnish his residential address and his mobile no. if he possesses to the Investigating officer.
- e) Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)