

Anand

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO.1915 OF 2015
(For Bail)**

Rahul Tukaram Sarvade .Applicant

v/s.

The State of Maharashtra & anr. .Respondents

Mr.S.S.Aradhya, Advocate, for the Applicant
Mrs.P.P.Shinde, APP, for the Respondent No.1 –
State

CORAM : REVATI MOHITE DERE, J.

DATE : 20.10.2015

P.C.

. Heard learned counsel for the applicant
and the learned APP for the respondent – State.

2. By this application, the applicant
seeks his enlargement on bail in connection with
C.R.No.157 of 2015 registered with the
Pandharpur City Police Station, District –
Solapur, for the alleged offences punishable
under Sections 143, 147, 148, 149, 353, 435,

427, 341, 504 & 506 of the Indian Penal Code.

3. The incident in question has taken place on 18.08.2015 at about 5.15 p.m.. According to the prosecution, the applicant along with the other co-accused came on motor-cycles, stopped the State Transport Bus, bearing No.MH-14/BT/1106, entered into the bus, threatened the passengers and assaulted them. It is alleged that when one Police Constable Bhosale tried to stop the accused, some of the accused assaulted him. Thereafter, the passengers were made to alight from the bus and the bus was set on fire. Pursuant to the said incident, the driver of the bus, Shrirang Mali lodged the aforesaid complaint alleging the aforesaid offences.

4. Learned counsel for the applicant seeks bail on the ground of parity. He submits that

similarly placed co-accused have been enlarged on bail by this Court (Coram : Revati Mohite Dere, J.) vide order dated 01.10.2015. He submits that the role allegedly played by the applicant is similar to that of the co-accused, who have been enlarged on bail.

5. Learned APP does not dispute the fact that there is no specific overt act attributed to the applicant and that the role assigned to the present applicant is similar to that of the co-accused, who have been enlarged on bail by this Court. She submits that charge-sheet has been filed in the said case on 12.10.2015.

6. Considering the fact, that similarly placed co-accused have been enlarged on bail by this Court vide order dated 01.10.2015, the applicant also deserves to be enlarged on bail on the following terms & conditions:

ORDER

(i) The applicant be enlarged on bail, on executing PR Bond in the sum of Rs. 15,000/- with one or two sureties in the like amount;

(ii) The applicant shall attend the Pandharpur City Police Station, District – Solapur on the first & third Saturday of every month between 11:00 a.m. to 11:00 a.m. for a period of 6 months from the date of his release and thereafter on the first Saturday of every month from 10.00 a.m. to 11.00 a.m. till the conclusion of the trial;

(iii) The applicant shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

7. The Application is allowed in the aforesaid terms and is accordingly disposed of.

8. It is made clear that the observations

made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)