

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

CRIMINAL BAIL APPLICATION NO.1981 OF 2015

Suresh Bhagwan Shelar

...Applicant

Versus

The State of Maharashtra

...Respondent

.....

Mr. Satyavrat Joshi for the Applicant.

Ms R.V. Newton, APP for the Respondent -State.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATE : 16th NOVEMBER, 2015.

P. C. :

This is an application for bail filed by the aforesaid Applicant, who is an accused in C.R. No.164 of 2015 registered with Daund Police station, Pune rural, for the offences punishable under sections 302, 143, 147, 148, 149, 342, 304 and 506 of the IPC.

2. Heard the learned counsel for the Applicant. He has submitted that the name of the Applicant has not been disclosed by the only eye witness in her statement and the Applicant is entitled for bail on the ground of parity since two other accused have already granted bail by this Court.

3. The learned APP also submitted that there is prima facie material to show the involvement of the Applicant. She has further stated that other two accused were released on bail since one of the accused was of advanced age and the other was a student. She had stated that the Applicant is therefore, not entitled for bail on the ground of parity.

4. Perused the records and considered the submissions advanced by the learned counsel for the respective parties. The records prima facie reveal that the deceased and one Sunita Shelar, who is wife of one of the accused were found in compromising position and that both of them were assaulted by her husband and the other family members of said Sunita. The deceased-Dadaso Maruti Shelar had expired as a result of the injuries sustained in the said incident. Statement of said Sunita, the only eye witness does not reveal that the Applicant herein was involved in the incident of assault. There is no prima facie material to show the direct involvement of the Applicant in the said crime. Under the circumstances, the Applicant is entitled for bail on the following terms and conditions:

ORDER

- i) The Applicant shall be released on bail upon furnishing P.R. Bond in the sum of Rs.25,000/- with one solvent

surety in the like amount.

ii) The Applicant shall not tamper with the evidence.

iii) The applicant shall not pressurize the complainant and witnesses in any manner.

iv) The Applicant shall make himself available and attend all the Court dates.

v) Violation of any of the conditions imposed shall amount to cancellation of bail forthwith.

5. The application stands disposed of accordingly.

(ANUJA PRABHUDESSAI, J.)