

Dond

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.2063 OF 2015

Mufeed Ahamad Abdul Hamid Shaikh

..Applicant.

Vs.

The State of Maharashtra

..Respondent

Ms. Monali Patil i/b Nitish A. Sonawane for applicant.

Ms. P.P. Shinde, APP for State.

Mr. B.R. Sarwade, P.S.I., Chunabhatti Police Station.

CORAM: A.S. GADKARI, J.

DATE : 15th December 2015.

P.C.

1 The applicant is seeking bail in CR No.49 of 2015 registered with Chunabhatti Police Station under Sections 302, 326, 506, 143, 147, 114, 149 and 34 of the Indian Penal Code.

2 The learned Counsel for the applicant submitted that the co-accused-Wahid Raza has been released on bail by this Court by its order dated 9.12.2015. She submitted that the role attributed to the said accused-Wahid and the present applicant is same and similar. She further submitted that there is recovery of the clothes of the present applicant on which some

blood stains were found. She submitted that apart from the said distinguishing factor, the role attributed to the present applicant and co-accused Wahid is same.

3 I have perused the first information report, the order dated 9.12.2015 passed by this Court and a copy of the chargesheet. I am of the considered opinion that the principle of parity applies to the present applicant with co-accused Wahid Raza. In view of the above, the applicant is entitled for bail on the principle of parity.

4 Hence the following order:

- (i) The applicant shall be released on bail in C.R. No.49 of 2015 registered with Chunabhatti Police Station on his furnishing PR bond of Rs.25,000/- with one or two solvent sureties in the like amount;
- (ii) The applicant shall report to the Chunabhatti Police Station on first Monday of every month during 10.00 a.m. and 12.00 noon during the pendency of trial;
- (iii) The applicant shall not tamper with and/or influence the prosecution witnesses;
- (iv) The application is allowed in the aforesaid terms.

(A.S. GADKARI,J.)

