

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE – CRIMINAL
BAIL APPLICATION NO.2613 OF 2014

Ramrajivan Dharmraj Patel

... Applicant

Vs.

The State of Maharashtra

... Respondent

Mr. H.E. Moman a/w Ms Manisha Gawade for the Applicant

Mr. Rajesh More, APP, for the Respondent -State.

CORAM: P.D. KODE, J.

DATED: JANUARY 22, 2015.

PC:

1. Heard. Perusal of the charge-sheet and particularly the statement of eye-witnesses viz.1) Stevel Willson Mure, 2) Ramji Yadav, 3) Ganesh Sopan Bhandare, 4) Rekha Ashok Tambe, 5) Dineshchandra Damodar Gupta and 6) Md. Mujib Sayed supports both the submissions canvassed by learned counsel for the Applicant that co-accused Nissar was the main assailant who had used the weapon for assailing the deceased and so also the case of the Applicant is not on higher pedestal than the co-accused Dinkar and Vishnu. The order dated 30.7.2014 and order dated 15.9.2014 passed by this Court i.e. my predecessor reveals that by the said orders co-accused Dinkar and co-accused Vishnu has been granted bail. Having regard to it, on the principle of parity the prayer for bail made by the Applicant deserves consideration.

2. Learned APP, upon specific query has submitted that the Applicant is not having any antecedent.

3. Resultantly, the application is allowed. The applicant is directed to be released on bail in C.R. No.128 of 2013 registered with Turbhe M.I.D.C. Police Station on furnishing PR. Bond in the sum of Rs.50,000/- (Rupees Fifty Thousand only) with one or three sureties to make up like amount and subject to conditions that after his release the applicant shall (i) stay at the address mentioned in the application and shall not change the same without permission of the Court; (ii) attend the I.O. on every first Monday of every month in between 11:00 a.m. to 1:00 p.m. until further order; (iii) not indulge in activity of tampering, threatening, coercing, intimidating or pressurizing the prosecution witnesses in any manner; and (iv) not misuse the bail granted vide this order for fleeing away or for committing any further offence.

4. The application accordingly stands disposed of.

(P.D. KODE, J.)