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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.2485 OF 2015

Fuzail Iqbal Khan

..Applicant.

Vs.

The State of Maharashtra

..Respondent

Mr. Prashant G. Pandey for Applicant.

Ms. S.D. Shinde, APP for State.

CORAM: A.S. GADKARI, J.

DATE : 23rd December 2015.

P.C.

1 The applicant is seeking bail in CR No.8 of 2014 registered with Boisar Police Station, District Palghar under Sections 302, 307, 326, 143, 147, 148, 149, 323, 504, and 506 of the Indian Penal Code.

2 At the outset it is to be noted here that the applicant had earlier preferred bail application no.1807 of 2015 before this Court. This Court by its order dated 24.11.2015, allowed the applicant to withdraw the said application. It appears that as the learned Counsel for the applicant was then not instructed by his client, to the effect that four accused persons who are similarly placed like the applicant were granted bail by this Court.

As the learned Counsel for the applicant was not briefed about the said fact, he could not point out the same at that relevant time.

The learned Counsel for the applicant submits that the present applicant is similarly situated as of other accused persons and principle of parity squarely applies to the applicant. The learned APP fairly admits the said position.

3 In view of the above, I am inclined to release the applicant on bail. Hence, the following order:

- (i) The applicant shall be released on bail in CR no.8 of 2014 registered with Boisar 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 attend the Boisar Police Station on every Monday between 10.00 a.m. to 12.00 noon during the pendency of the trial.
- (iii) The applicant shall not tamper with evidence and/or influence the prosecution witnesses.
- (iv) The application is allowed in the aforesaid terms.

(A.S. GADKARI,J.)