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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 1073 OF 2016

Rakib s/o Latif Patel

..APPLICANT

VERSUS

The State of Maharashtra

..RESPONDENT

Mr A.K. Bhosle, Advocate for applicant;

Mr S.P. Deshmukh, Addl. Public Prosecutor for respondent

CORAM : N.W. SAMBRE, J.

DATE : 3rd March, 2016

ORDER :

By the present application under section 439 of the Code of Criminal Procedure, the applicant seeks his release on bail, in connection with C.R. No.I-97 of 2015, registered with Sillod Rural police station, for offences punishable under sections 302, 201, 120-B read with section 34 of the Indian Penal Code.

2. The prosecution story claims that the applicant was having affair with one Radhabai and the applicant, along with other accused, has conspired to commit murder of Anusyabai.

3. Learned Counsel appearing on behalf of the applicant submits that the applicant is entitled for bail on the principle of parity with the other accused, namely, Shalik Sahebrao Bhotkar and Bhagwan Ramdas Zond,

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who have been ordered to be released on bail by this Court, by order dated 8th February, 2016, passed in Criminal Application Nos.8 of 2016 and 42 of 2016.

4. The above referred position is not disputed by the learned Addl. Public Prosecutor.

5. Perusal of the record depicts that the entire investigation is based on circumstantial evidence.

6. In view thereof and on the principle of parity, in my opinion, the applicant deserves to be released on bail. Thus, the following order :-

The applicant be released on bail, in connection with C.R. No.I-97 of 2015, registered with Sillod Rural police station, for offences punishable under sections 302, 201, 120-B read with section 34 of the Indian Penal Code, on furnishing P.R. Bond of Rs.15,000/- with one surety in the like amount.

Criminal Application stands allowed in above terms.

(N.W. SAMBRE, J.)

amj