

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

CRIMINAL BAIL APPLICATION NO.2383 OF 2015

Harish Rakesh Singh Thakur	..Applicant
V/s.	
The State of Maharashtra	.. Respondent

Mr.Niteen Pradhan i/by Ms.Ameeta Kutti Krishanan
for applicant.
Mr.A. Sait APP for the Respondent-State.

CORAM : REVATI MOHITE DERE, J.,

DATE : 10th MARCH, 2016.

P.C.

1. Heard learned counsel for the applicant and learned
APP for the Respondent -State.

2. By this application, the applicant seeks his
enlargement on bail in connection with C.R. No. I-130 of 2014
registered with the Karad Police Station, for the alleged offences
punishable under Sections 396 and 120B read with section 34 of
the Indian Penal Code.

3. The learned counsel for the applicant states that the
applicant is entitled to be enlarged on bail on the ground of

parity, inasmuch as, the role of the applicant is identical to the role played by the Deepak Umashanker Vishwakarma, who was enlarged on bail by this Court vide order dated 26th October 2015. The said order is on page 206 of the application. He submits that even as against the present applicant, the only allegation is recovery of Rs.29,240/-. He submits that the applicant has not been identified in the Identification Parade.

4. The learned APP on the instructions of the investigating officer who is present in Court states that though the applicant has not been identified in the identification parade, there is a recovery of Rs.29,240/- at his instance. He submits on instructions, that the applicant has no antecedents.

5. Perused the papers. It appears, that the role assigned to the present applicant is similar to that of co-accused Deepak Umashanker Vishwakarma, who has been enlarged on bail, by this Court vide order dated 26th October 2015. The applicant has not been identified in the identification parade nor does the applicant have any antecedents. Considering the material on record and on the ground of parity, the applicant deserves to be

enlarged on bail on the following terms and conditions :

ORDER

(i) The applicant be enlarged on bail, on executing PR Bond in the sum of Rs. 25,000/- with one or two sureties in the like amount;

(ii) The applicant shall report to the Investigating Officer, Karad Police Station on the first Saturday of every month between 10:00 a.m. to 12:00 noon, for a period of 12 months, after his release and thereafter, once in two months, till the conclusion of the trial;

(iii) The applicant shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

(iv) The applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence of mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

(v) The applicant to cooperate in the conduct of the trial;

(vi) The applicant shall file an undertaking in the Trial Court, with regard to clauses (ii) to (v) within 2 weeks of his

release.

(vii) If there is a breach of any of the aforesaid conditions and a breach of the undertaking, the prosecution shall be at liberty to seek cancellation of the applicant's bail.

6. The Application is allowed in the aforesaid terms and is accordingly disposed of.

7. It is made clear, that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

8. All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.,)