

FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.05 OF 2016

Keshav @ kiran Vitthal Kankoshe.

..Applicant.

vs.

State of Maharashtra.

..Respondent.

Ms. Shama Mulla for the Applicant.

Smt. S.D. Shinde, APP. for the State.

Mr. N.R.Jadhav, API present in court.

CORAM : A.S.GADKARI, J.

DATE : 06th January, 2016

P.C.

This is an application for pre-arrest bail by the applicant apprehending arrest in CR No.I-87/2015 registered with Kongaon Police Station, Dist. Thane under Section 307, 323, 143,147,148,149,354,427 of the I.P.C.

2) The first information report registered by Harish Hegde discloses that on 21st June 2015, when he was present in his own hotel, which was adjoining to Night City Bar, he heard commotion of some ladies and Gents and, therefore, he rushed to the said place i.e. the Night City Bar at about 10.30p.m. At that time, he saw certain persons were abusing the Manager and lady signers of the Night City Bar. When he reached at the spot he saw, at the relevant time, that some persons broke the glass of the door by kicks and other persons broke beer bottles and inflicted its blow on the Manager Sudhakar Pujary. When the Steward Mohmmmed Ali tried to pacify the scuffle he too was assaulted. One of the accused even tried to assault the complainant with a broken piece of

glass. He has further stated that one of the said accused outraged the modesty of a lady singer and committed an offence under Section 354 of the I.P.C. He has stated that in the mean while police came on the spot. Out of 10 to 12 persons, three persons were apprehended on the spot. The names of the three persons apprehended on the spot are Prakash Bhoir, Prashant Nichite and Uttam Bhoir.

3) Learned counsel for the applicant submits that no specific role has been attributed to the applicant in the entire crime. She further submitted that the co-accused namely Sanjay Ananta Sable has been granted pre-arrest bail by this court by order dated 18.11.2015. She submitted that principle of parity is applicable to the present applicant. The learned APP. fairly concedes to the said submission and submits that parity is applicable to the present applicant. In view of the above, I am inclined to allow the present application.

4) Hence, the following order.

ORDER

- a) In the event of arrest in CR No.I-87/2015 registered with Kogaon Police Station, District Thane, the applicant shall be released on bail on his furnishing PR bond in the sum of Rs.25,000/- with one solvent surety in the like amount.
- b) The applicant shall attend the Investigating officer on every Monday and Wednesday between 10.00a.m. to 12.00 noon till filing of the charge-sheet.
- c) The applicant shall not tamper with the evidence and/or influence the prosecution witnesses.
- d) Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)