

Nalawade

FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 1344 OF 2016

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. J.H. Sawant i/by P.G. Parkar for the Applicant.

Ms. S.S. Kaushik, APP. for the State

CORAM : A.S.GADKARI, J.

DATE : 31st August, 2016

P.C.

This is an application under Section 439 of the Cr.P.C. for bail in CR No. 138/2015 dated 20.12.2015 registered with Sewree Police Station Mumbai under Section 307, 143, 144, 148, 149, 324, 212 of the Indian Penal Code

2) The learned counsel for the applicant submitted that principal accused namely Sanjay Lahane to whom the role of actual assault is assigned has been released on bail under Section 167(2) of the Cr. P. C. He further submitted that co-accused namely Ajgar Shaikh, Akash Lahane and Shabbir Ramgad have been released on regular bail by the Trial Court. The role attributed to the present applicant is same or similar to those assigned to co-accused Ajgar Shaikh and Aakash Lahane @ Ravi and Shabbir Ramgad. In view of the same the principle of parity

is squarely applicable to the applicant. The application is therefore entitled to be released on bail.

Hence, the following order.

- a) The applicant be released on bail in CR NO.138/2015 registered with Sewree Police Station, Mumbai on his furnishing PR bond of Rs.15,000/- with one or more local sureties in the like amount.
- b) After his release from jail the applicant shall not enter the jurisdiction of the Sewree Police Station except for marking his presence as directed herein below.
- c) After his release from Jail the applicant shall attend the Sewree Police Station once in a month on every first Monday between 11.00 a.m. to 3.00 p.m. and shall withdraw himself from the jurisdiction of Sewree Police Station in any circumstance after 3.00 p.m.
- d) Before his release from jail the applicant shall supply his address where he intends to reside to the Sewree Police Station.
- e) The applicant shall attend all the dates before the Trial Court.
- f) Any two consecutive defaults in complying with the aforesaid conditions shall attract the provisions of Section 439(2) of the Cr.P.C.
- g) The applicant shall not tamper with the evidence and/or influence the prosecution witnesses.
- h) Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)