

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

CRIMINAL BAIL APPLICATION NO. 1447 OF 2016

Ravindra Ramesh Malap

... **Applicant.**

Versus

The State of Maharashtra

... **Respondent.**

Mr.Pankaj More with Mr.Nitin Kamble for the Applicant.
Ms.N.S.Jain, APP for State.

CORAM : A.S. GADKARI, J.

DATE : 15TH OCTOBER, 2016.

P.C. :

1] This is an application under Section 439 of the Code of Criminal Procedure for bail in CR.No.397 of 2014 dated 12/10/2014 registered with V.P. Road Police Station, Mumbai under Sections 302, 504 read with 34 of the Indian Penal Code.

2] The learned counsel appearing for the applicant submitted that the co-accused namely Akshay @ Bango Ankush Chavan and Ishwar Shivaji Salunke have been released by this Court by its order dated 27th January, 2016 and 28th September, 2016 respectively. It is submitted that the role attributed to the present applicant and the circumstances propounded by the prosecution against the applicant in the present crime are same and similar, to those attributed to the said two co-accused persons. He therefore, submitted that the present applicant is entitled to be release on bail on the ground of parity.

3] The learned APP after perusing the record fairly conceded to the said factual position. After perusing the Charge-sheet annexed to the application and the orders dated 27th January, 2016 and 28th September, 2016 passed by this Court, it is clear that the principle of parity is applicable to the applicant with co-accused Akshay @ Bango Ankush Chavan and Ishwar Shivaji Salunke.

4] In view of the above, the applicant has made out a case for his release on bail on the ground of parity.

5] Hence the following order;

- i) The applicant shall be released on bail in CR.No.397 of 2014 registered with V.P. Road, Police Station, Mumbai on his furnishing P.R. bond of Rs.25,000/- with one or two solvent local sureties in the like amount.
- ii) After his release from the jail, the applicant shall attend V.P. Road police Station on every first and third Monday of the month between 10.00 am to 12.00 noon till the completion of trial.
- iii) The applicant shall not tamper with evidence and/or influence the prosecutions witnesses.
- iv) The application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)