

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
BAIL APPLICATION NO. 2546 OF 2016**

Mr. Ibrahim Israil Shah                      ....      Applicant

Vs.

The State of Maharashtra                      ....      Respondent  
Thru' Padgha Police Station.

Mr. R.R. Tripathi, Advocate for the applicant.

Mr. N.B. Patil, APP for the State.

Mr. Jitendra Bhaidas Ahirrao, Sr. PSI, Padgha Police Station  
present.

Coram : N.W. SAMBRE, J.

Date : 19<sup>th</sup> December, 2016

P.C.

1                      On October, 20, 2016, the District Judge-6 and Additional Sessions Judge, Thane rejected the application of the applicant being Criminal Bail Application No. 2280 of 2016 on the ground that the applicant was specifically named by one witness Azad Barsat Khan, whose vehicle was hired for transportation of the stolen articles.

2                      While trying to make out the case for bail, he would submit that the co-accused, is already released on bail in similar case and as such his case is to be considered on parity with that of co-accused.

3           Perused the statement of the witness, Azad Khan, whose tempo was hired for transportation of stolen articles. He has named all the accused persons including the present applicant and the other accused, who are ordered to be released.

4           The investigation in the matter is over and the charge-sheet is already filed. There are no criminal antecedents. In view thereof, in my opinion, the application needs to be allowed.

5           The applicant be released on bail on furnishing P.R. Bond of Rs.30,000/- (Rupees Thirty Thousand only) with one or two sureties in the like amount.

6           Three consecutive absence before the learned trial court Judge will entail the learned Judge to adopt proceedings for cancellation of bail.

7           The applicants not to tamper with the evidence and/ or influence the witnesses in any manner whatsoever.

(N.W. SAMBRE, J.)