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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO.128 OF 2017

Chakreshwar @ Deepak @ Ganesh
Kagad Chavan, Age : Major,
Occup. Resident of Chalisgaon,
District Jalgaon

..APPLICANT

VERSUS

The State of Maharashtra
through Police Station Incharge
Chalisgaon Police Station,
Chalisgaon, Dist. Jalgaon

..RESPONDENT

Mrs A.S. Rasal, Advocate for applicant;
Mr R.V. Dasalkar, Addl. Public Prosecutor for respondent

CORAM : N.W. SAMBRE, J.

DATE : 6th March, 2017

ORAL ORDER

Heard.

2. By the present application, the applicant seeks his release on bail, in connection with C.R. No.208 of 2015, registered with Chalisgaon police station, Chalisgaon, Dist. Jalgaon, for offences punishable under Sections 396, 201, 109 of the Indian Penal Code and Section 3/25 of the Indian Arms Act, for which he was arrested on 8th August, 2015.

3. The applicant appears to be a person with criminal antecedents of similar nature. The eye-witness has already identified the present applicant in test identification parade. There is sufficient material to infer

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prima facie involvement of the applicant in the crime in question, particularly from the statements of Kiran Deshmukh and Krishnarao Deshmukh.

4. The parity as is claimed by the applicant with that of other co-accused, namely, Vishnu Savant, who has been ordered to be released on bail by this Court, is wholly misplaced, as the case of the applicant cannot be treated at par with the said accused. The role attributed to the applicant is that of active participation in the crime in question, whereas the vehicle of Vishnu is claimed to have been used in commission of the crime.

5. In view thereof, no case for bail is made out. Criminal Application, therefore, stands rejected.

(N.W. SAMBRE, J.)

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