

mm

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

**CRIMINAL BAIL APPLICATION NO. 557 OF 2017
IN
CRIMINAL APPEAL NO. 229 OF 2015**

Hanmant Bhagwat Garad

...Applicant

Vs.

State of Maharashtra

...Respondent

Mr. Harshad V. Nimbalkar i/b. Mr. Satyam H. Nimbalkar,

Advocate for the Applicant

Mr. H.J. Dedia, A.P.P. for the State

**CORAM : SMT. V.K. TAHILRAMANI, &
M.S. KARNIK, JJ.**

DATED : 19TH APRIL, 2017

P.C. :

1. Heard learned Counsel for the Applicant / original accused No.8 and the learned A.P.P. for the the State. The Applicant who is the original accused No.8 has been mainly convicted under Section 302 r.w. Section 149 of the Indian Penal Code. The applicant is now seeking bail.

2. The learned Counsel for the Applicant submitted that co-accused Ramesh Sukhdeo Garad who is the original accused No.6 and original accused No.7 Sunil Vishnu Khandare have been granted bail by this Court by order dated 27th October, 2015 in Criminal Application No. 1183 of 2015. The Counsel for the

Applicant submitted that the role of the present Applicant is the same as that of Ramesh Garad and Sunil Khandare, hence, the Applicant be granted bail on the ground of parity. The submission that the role of the Applicant is the same as that of Ramesh Garad and Sunil Khandare is not controverted by the Prosecution. It is also an admitted fact that the Applicant was on bail during the trial. In view of these facts we are inclined to grant bail to the Applicant. Hence, the following order is passed:

ORDER

- (i) Sentence of imprisonment imposed on the Applicant is suspended;
- (ii) The Applicant Hanmant Garad be released on bail in the sum of Rs.25,000/-. The Applicant to furnish surety and PR Bond in the like amount.
- (iii) During the period that the Applicant is on bail, he shall report to Mohol Police station, Solapur on the first Sunday of every month;
- (iv) Application is allowed in the above terms.

(M.S. KARNIK, J.)

(SMT. V.K. TAHILRAMANI, J.)