

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE

BAIL APPLICATION NO.1059 OF 2016

Musa Anu Sued Vs. The State of Maharashtra

**Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders.**

Court's or Judge's orders

Mr. Harshad G. Meshram for applicant
Mr. Ajay Patil, APP for State.
Mr. A.L. Palande, PSI, Vartak Nagar Police station present.

CORAM : A.S. GADKARI, J.

DATE : 21st April 2017.

P.C.:

- 1] This an application under Section 439 of the Cr. P.C. for bail in CR No.I-84 of 2012 dated 29.4.2012 registered with Wagle Estate Police Station, Thane under Sections 392, 411, 414, 34 of the Indian Penal Code and under Sections 3(i), 3(3), 3(4), 3(5) of the Maharashtra Control of Organised Crime Act, 1999 (MCOC Act).
- 2] The learned counsel for the applicant submitted that the co-accused namely Taufik Tejib Hussain, Mausamali Shah Irani @ Mausam Jafar Khan and Jakir Siraj Irani in the present crime have been granted bail by this Court by its Orders dated 30.7.2014, 5.2.2016 and 16.3.2016 respectively. He submitted that the applicant has played same and/or similar role as that of said co-accused in the crime who have been granted bail. He therefore submitted that the present applicant may be granted bail on the ground of parity.

The learned APP fairly conceded to the submission made by the learned counsel for the applicant, that parity is applicable to the present applicant with other co-accused.

3] I have perused the copy of the chargesheet and the documents annexed to the application minutely. It is noted here that the applicant has been attributed with similar role in the present crime as that of other co-accused released on bail by this Court. The applicant is therefore entitled for bail on the ground of parity.

4] In view thereof, the applicant has made out a case for his release on bail.

Hence, the following Order:

(i) The applicant be released on bail in CR No.I-84 of 2012 registered with Wagle Estate Police Station, Thane on his furnishing PR bond of Rs.30,000/- with one or two solvent local sureties in the like amount.

(ii) After his release from jail, the applicant shall attend the office of the Assistant Commissioner of Police, Wartak Nagar Division, Thane on 1st and 3rd Monday of the every month between 11.00 a.m. to 2.00 p.m till the conclusion of the trial.

(iii) The applicant shall not tamper with evidence and/or influence the prosecution witnesses.

5] The application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)