

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

**BAIL APPLICATION NO. 1687 OF 2017**

Dipak Vitthal Pawar

... **Applicant**

**V/s.**

The State of Maharashtra

... **Respondent**

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Mr. P.G. Sarda for the Applicant.

Mr. A.A. Palkar, APP for the Respondent/State.

**CORAM : A.S.GADKARI, J.**

**DATE : 04<sup>th</sup> OCTOBER, 2017**

**P.C.:**

. This is an application under Section 439 of Cr.P.C. for bail in C.R. No. 620/2016 dated 01.11.2016 registered with Pimpri Police Station, District Pune under Sections 302 read with 34 of Indian Penal Code.

2 The name of the deceased is Amar Ingawale. It is the case of the prosecution that the deceased had won certain amount in gambling from the accused persons. The accused persons were demanding the said amount, which the deceased refused to return and on the said count, the accused persons committed murder of the deceased on or before 31.10.2016 at a secluded place. During the course of the investigation, the Applicant came to be arrested on 01.11.2016. After completion of investigation, the police have submitted charge-sheet.

3 Learned Counsel for the Applicant submitted that co-accused namely Bunty @ Vijay Baburav Kamble who has played similar role as of the Applicant, has been directed to release on bail by an order dated 25.09.2017 by this Court and the Applicant is claiming parity with the same accused. The learned APP after perusing the record, fairly conceded the said submission.

4 Perused the record and charge-sheet. It prima facie clearly appears that the circumstances propounded by the prosecution against the Applicant are same and similar as have been propounded against the co-accused Bunty @ Vijay Baburav Kamble. Applicant is therefore, entitled to be released on bail on the ground of parity.

Hence, the following order:

i) The applicant be released on bail in CR No.620/2016 registered with Pimpri Police Station, District Pune on his furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.

ii) After his release from jail, the applicant shall attend Pimpri Police Station once in month i.e. on every 1<sup>st</sup> Monday of the month between 11.00 a.m. to 2.00 p.m. initially for the period of six months and thereafter, once in three months i.e. first Monday of every third month till conclusion of trial.

iii) The applicant shall also attend all dates before the Trial Court.

iv) Any two consecutive defaults in complying with the aforesaid conditions, shall attract the provisions of cancellation of bail.

v) The Applicant shall not tamper with the evidence and/or pressurize or threaten the prosecution witnesses.

vi) Application is allowed in the aforesaid terms.

**(A.S.GADKARI, J.)**