

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.1697 OF 2017

Vijay Ganesh Devalekar ...Applicant.

vs.

The State of Maharashtra ...Respondent.

Mr. Aniket Nikam with Mr. Piyush Toshniwal i/by Aashish Satpute for the Applicant.

Mr. Prashant Jadhav, APP. for the State.

CORAM : A.S.GADKARI, J.
DATE : 29th September, 2017

P.C.

1. This is an application under Section 439 of the Cr.P.C. for bail in CR NO.388/2016 dated 12.10.2016 registered with Sinhagad Police Station, District Pune under Section 302 read with 34 of the Indian Penal Code.

2. It is the prosecution case that due to earlier enmity with deceased Sandeep Ningule, the co-accused namely Yogesh Kamble and Bala Raut called the deceased out of his house in wee hours of 11.10.2016 and thereafter the dead body of Sandeep Ningule was found near the canal. During the course of investigation, the applicant came to be arrested on 11.10.2016 and after completion of investigation the police have submitted charge sheet.

3. Learned counsel for the applicant submitted that co-accused namely Ravindra Kamble who is attributed with same or similar role has been released on bail by this Court by an order dated 20.9.2017 and the applicant is therefore entitled to be released on bail on the ground of parity. The learned APP fairly conceded to the said submission.

4. Perused the charge sheet and the record annexed to the application. The record indicates that the circumstance which have been propounded against the co-accused Ravindra Kamble are also propounded against the present applicant by the prosecution and in view thereof, the applicant is entitled to be released on bail on the ground of parity.

5. In view of the above, I pass the the following order.

a) The applicant be released on bail in CR NO.388 of 2016 dated 12 .10.2016 registered with Sinhagad Police Station, District Pune on his furnishing PR bond of Rs.25,000/-with one or two solvent local sureties in the like amount.,

b) After his release from the jail, the applicant shall attend the Sinhagad Police Station once in month i.e. on every 1st Monday of the month between 11.00 a.m. to 2.00 p.m.

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

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

- e) The applicant shall not tamper with the evidence and/or influence the prosecution witnesses.
- f) Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)