

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

BAIL APPLICATION NO. 1865 OF 2017

Pandit Sitaram Pawar

... **Applicant**

V/s.

The State of Maharashtra

... **Respondent**

Mr. Ashish Sawant for the Applicant.

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

CORAM : A.S.GADKARI, J.

DATE : 15th SEPTEMBER, 2017

P.C.:

. This is an application under Section 439 of Cr.P.C. for bail in C.R. No. 127/2017 dated 01.03.2017 registered with Karmala Police Station, District Solapur under Sections 302, 201, 498A, 120B read with Section 34 of Indian Penal Code.

2 Learned Counsel for the Applicant submitted that, Applicant is brother-in-law of deceased Smt. Archana. That the husband of the deceased has been released on bail by this Court by its order dated 05.07.2017 on the ground that prosecution case rests entirely on circumstantial evidence and there are no circumstances to connect the said Applicant with the alleged offences in the nature of last seen, motive etc. He submitted that, the same set of evidence is propounded against the Applicant by the prosecution and therefore, Applicant is

entitled to be released on bail on the ground of parity.

3 Perused the chargesheet annexed to the application and it clearly appears that the observations made by Co-ordinate Bench in order dated 05.07.2017 as noted hereinabove are squarely applicable to the Applicant herein and the Applicant is entitled to claim the ground of parity for his release on bail.

4 Hence, the following order:-

a) The applicant be released on bail in in C.R. No. 127/2017 dated 01.03.2017 registered with Karmala Police Station, District Solapur on his furnishing PR bond of Rs.20,000/- with one or two solvent local sureties in the like amount.

b) The Applicant shall not contact the complainant, witnesses or any person concerned with the case.

c) The Applicant shall co-operate in the conduct of the trial.

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

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

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

g) Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)