

Anand

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

BAIL APPLICATION NO.1867 OF 2017

Kiran Ashok Gamane

.Applicant

Vs.

The State of Maharashtra

.Respondent

Mr.A.Thool i/b. Ms Pooja Badekar, Advocate, for the Applicant
Ms Veera Shinde, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 28.08.2017

P.C.

. Heard learned counsel for the parties.

2. By this Application, the Applicant seeks his enlargement on bail in connection with C.R.No.58 of 2017 registered with the Kalwa Police Station, Thane, for the alleged offences punishable under Sections 409, 420, 120B of the Indian Penal Code; under Section 72 of the Information Technology Act; under Sections 13(1), 13(c)(d) of the Prevention of Corruption Act and under Sections 3, 5 of the Official Secrets Act, 1923.

3. Learned counsel for the Applicant seeks bail on the ground

of parity. He submits that identically placed co-accused – Sandeep Nagare has been enlarged on bail by this Court (Coram : Revati Mohite Dere, J.) vide Order dated 21.08.2017, passed in Cri.B.A.No.1509 of 2017 with Cri.B.A.No.1601 of 2017 & Cri.B.A.No.1750 of 2017.

4. Learned APP does not dispute.

5. Perused the papers as well as the Order dated 21.08.2017, by which co-accused – Sandeep Nagare and other co-accused were enlarged on bail by this Court. It is not in dispute, that the role of the Applicant is identical to that of co-accused – Sandeep Nagare. The allegation as against the Applicant is that he alongwith co-accused - Sandeep Nagare had gone to Nagpur alongwith five students and had leaked the papers, received from Santosh Shinde. Investigation is complete and charge-sheet is filed. The Applicant is entitled to bail on the ground of parity. Accordingly, the Application is allowed and the Applicant is enlarged on bail on the following terms and conditions:-

ORDER

- (i) The Applicant be enlarged on bail, on executing PR Bond in the sum of **Rs.15,000/-** with one or two sureties in the like amount;
- (ii) The Applicant shall report to the investigating officer of the

concerned police station **as & when called for** by the investigating officer;

(iii) The Applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

(iv) The Applicant to cooperate in the conduct of the trial.

6. The Application is allowed in the aforesaid terms and is accordingly disposed of.

7. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)