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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 1720 OF 2016

Ajay Surendra Yadav .. Applicant
Vs.
State of Maharashtra .. Respondent

Mr. Vijay Killedar for the Applicant.
Mrs. P. P. Shinde APP for the State/Respondent.

CORAM : A.S. GADKARI, J.
DATE : 5th MAY, 2017.

P. C. :

1. This is an application under Section 439 of the Code of Criminal Procedure for bail in C. R. No. I-146 of 2016 dated 30.04.2016 registered with Ambernath Police Station under Section 307, 143, 147, 148, 149, 452, 427, 506 of the Indian Penal Code and Section 37(1) and 135 of the Mumbai Police Act.

2. Learned counsel for the applicant submitted that there are in all nine accused persons in the present crime and except the applicant all the accused persons have been released on bail. He submitted that the applicant is, therefore, entitled to be released on bail on the ground of parity.

3. A perusal of the charge-sheet and the copies of the orders passed by Trial Court and this Court would reveal that the principal accused, namely, Surendra Nago Yadav who not only instigated the co-

accused to assault the informant but also had assaulted him with iron rod has been released on bail by the Trial Court. Learned APP submitted that the applicant is also involved in one more crime bearing C. R. No. I-35 of 2011 registered with the same police station. However, after taking into consideration the fact that the principal accused Surendra who also has some antecedents at his discredit, has been released on bail by the Trial Court, the applicant is entitled to release on bail on the ground of parity.

Hence, the following order:

(i) The applicant is released on bail in C. R. No. I-146 of 2016 dated 30.04.2016 registered with Ambernath Police Station on his furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.

(ii) After his release, the applicant shall attend Ambernath Police Station on every first Monday of the month between 11.00 a.m. to 2.00 p.m.

(i) The applicant shall also attend all the dates before the trial Court.

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

(iii) The application is allowed in the aforesaid terms.

[A. S. GADKARI, J.]