

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.1896 OF 2017

Mr.Ashok S.Sakpal

...Applicant.

vs.

State of Maharashtra

...Respondent.

Mr.S.G.Deshmukh i/by Dilip Shinde for the applicant.

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

CORAM : A.S.GADKARI, J.

DATE : 13th September, 2017.

P.C.

1. This is an application under Section 439 of Cr.P.C. for bail in CR No.135/2017 registered with Walchandnagar Police Station, Pune under Sections 363, 364A, 387,506 read with 34 of the Indian Penal Code and under Section 3 and 25 of the Arms Act.

2. The learned counsel for the applicant submitted that there are in all seven accused persons in the present crime, out of them six accused persons have already been released on bail by this Court. He submitted that only difference between the said applicants and the present applicant is the motive propounded by the prosecution which revolves around the applicant and apart from the same, there is no difference in the role attributed to the present applicant/accused and other accused persons in the present crime.

3. The learned APP. with most fairness conceded to the said submission made by the learned counsel for the applicant.

4. Perused the charge-sheet annexed to the application. I find

substance in the submissions made by the applicant. This Court by an order dated 16.8.2017 has granted bail to co-accused Nos. 2 to 7 in Bail Application No.1682 of 2017. After perusing charge sheet I am of the considered view that principal of parity is squarely applicable to the present applicant.

5. In view thereof, I am inclined to release the applicant on bail.

6. Hence, the following order.

a) The applicant be released on bail on his executing PR bond in the sum of Rs.50,000/- with one or more solvent sureties in the like amount.

b) The applicant shall not tamper with the prosecution witnesses and shall not commit similar offence.

c) The applicant shall not enter the Tahsil of Indapur, except for attending the case which is filed against him in Baramati Court.

d) He shall report to the Walchandnagar Police Station before entering the Tahsil even for attending the Court.

(A.S. GADKARI, J.)