

Anand

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

BAIL APPLICATION NO.2065 OF 2017

Vaibhav Bhaskar Shesware

.Applicant

Vs.

The State of Maharashtra

.Respondent

Mr. U. H. Pawar, for the Applicant

Ms J. S. Lohakare, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 25.09.2017

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, 120(B) 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 have been enlarged on bail by this Court. He submitted that the Applicant was alleged to have been present with the other co-accused at the Nagpur centre. He submitted that nothing has been recovered at the instance of the Applicant.

4. Learned APP does not dispute the aforesaid.

5. Perused the papers and the order enlarging co-accused on bail. The Applicant is alleged to have been present with the other co-accused at the Nagpur centre, where the leaked paper was received. Admittedly, nothing has been recovered at the instance of the Applicant. Investigation is complete and charge-sheet is filed. The Applicant is also entitled to be enlarged on bail on the ground of parity. Accordingly, the Application is allowed and the Applicant is enlarged on bail on the following terms & conditions:-

O R D E R

(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.

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.)