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

BAIL APPLICATION NO. 2500 OF 2017

Nitin Shyamrao Kharote & Ors.

... Applicants

V/s.

The State of Maharashtra

... Respondent

Mr. Subhash Jha a/w Ms. Sanjana Pardeshi i/b Law Global Advocates for Applicants.

Mr. Vinod Chate, APP for the Respondent/State.

CORAM : A.S.GADKARI, J.

DATE : 21st NOVEMBER 2017

P.C.:

1] This is an application under Section 439 of Cr. P.C. for bail in CR No. 322 of 2017 dated 19.09.2017 registered with Satpur Police Station, District- Nashik under Section 436 of the Indian Penal Code and under Section 3 of Explosive Substances Act.

2] The first information report is lodged by Shri Ramesh Darade, Police Hawaldar, Satpute Police Station on 19.9.2017. It is the prosecution case that, an explosion took place on 18.9.2017 at about 5.40 p.m in the

store-room of the Company namely Precision Industries situated at M.I.D.C. Area, Satpur. In the premise the first information report is lodged against unknown persons.

3] The record indicates that, the Chemical Analyzer's report is silent about any residues of explosive substances and/or kerosene/ petrol found at the scene of offence. The principal accused Shri Inderpal Sahni has been released on bail by the learned Additional Sessions Judge, Nashik by its Order dated 3rd November 2017. The learned Additional Sessions Judge in the said Order has observed that, in view of the CA report and case diary produced by the concerned Investigating Agency, there is no question of making explosion by any explosive substance and none of the witnesses have seen the applicant therein ablazing the store-room. It appears from the record that the present applicants are the employees of the M/s Shaan Cars Pvt. Ltd. which is situated within the precincts of Precision Industries and the blast has taken place in the store-room of the Precision Industries.

4] As the principal accused namely Shri Inderpal Sahni has been released on bail by the Trial Court and the applicants in the present application are the employees of M/s Shaan Caars Pvt. Ltd., the applicants are entitled to be released on bail on the ground of parity.

Hence, the following Order:

- (i) Application is allowed.
- (ii) Applicants namely Nitin Shyamrao Kharote, Sagar Ashok Borse, and Ashok Chabu Pagare be released on bail on their executing P.R. Bond of Rs.20,000/- each with one or two local sureties to make up the amount, on the condition that they shall co-operate the Investigating Officer in their investigation, shall attend the Satpur Police Station as and when called by the I.O. till filing of the chargesheet and shall not tamper with the prosecution witnesses.
- (iii) All the concerned to act on an authenticated copy of this Order.

(A.S.GADKARI, J.)