

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (BA) NO.872 OF 2017

Anandrao s/o Baliramji Mandhare and ors

..vs..

The State of Maharashtra, thr. PSO, PS Bhadrawati, District Chandrapur

.....
Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders

Court's or Judge's Order

.....
Shri R.M. Daga, Counsel for the applicants.

Shri T.A. Mirza, Addl.P.P. for the State.

CORAM : V.M. DESHPANDE, J.

DATED : SEPTEMBER 11, 2017.

Heard learned counsel Shri R.M. Daga for the
applicants and learned Additional Public Prosecutor Shri T.A.
Mirza for the State.

Though the case is coming for the first time before
the Court, learned Additional Public Prosecutor Shri T.A. Mirza
is fully armed with the instructions so also has tendered the
reply. The said reply is taken on record.

This Court has considered bail application of
the applicants in Criminal Application (BA) No.716 of 2017 in
detail on 18.8.2017 and released the applicants therein on bail on
certain conditions.

After hearing learned counsel for the applicants
and learned Additional Public Prosecutor, it is clear that the

role attributed to the present applicants and accused Nos.5 and 7 respectively are identical. Therefore, the applicants are entitled to get the benefits of the principle of parity.

In that view of the matter, for the reasons stated in Criminal Application (BA) No.716 of 2017 and the role attributed to the present applicants is identical to the role of the applicants in aforesaid Criminal Application (BA) No.716 of 2017, this Court passes the following order:

ORDER

i) The criminal application is allowed.

ii) Applicant No.1 Anandrao s/o Baliramji Mandhare and applicant No.2 Pravin s/o Ashok Mandhare be released on bail on their executing P.R. Bond in the sum of Rs.25,000/- by each of them with two solvent sureties of the like amount by each of them in connection with Crime No.389 of 2017 registered with Police Station Bhadrawati, District Chandrapur for the offences punishable under Sections 143, 147, 148, 149, 302, 307, and 323 of the Indian Penal Code.

iii) The applicants shall attend the Police Station Bhadrawati, District Chandrapur twice in a month

i.e. on 2nd Saturday and 4th Sunday between 3:00 p.m. to 5:00 p.m..

iv) The applicants shall not extend any threats to any of the prosecution witnesses.

v) The applicants shall not visit the disputed site without following the directions as mentioned by the learned Civil Judge Junior Division, Bhadrawati dated 8.5.2015 in Regular Darkhast No.4/2015.

vi) If it is noticed by the investigating officer that the applicants are causing prejudice to the prosecution case, the investigating officer shall be at liberty to file appropriate application seeking cancellation of bail.

vii) Without, the application is disposed of.

JUDGE

!! BRW !!

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