

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

BAIL APPLICATION NO. 160 OF 2018

Akhtar Amir Shaikh @ Akthar Mobile Chor ... **Applicant**

V/s.

The State of Maharashtra ... **Respondent**

Ms. Misbaah Solkar for the Applicant.
Mr. A.A. Palkar, APP for the Respondent/State.

CORAM : A.S.GADKARI, J.
DATE : 15th FEBRUARY, 2018

P.C.:

. This is an application under Section 439 of Cr.P.C. for bail in C.R. No. I-1 of 2017 dated 04.01.2017 registered with Bhiwandi City Police Station, District Thane under Sections 307, 325, 147, 148, 149, 504 of the Indian Penal Code and under Section 37(1) and 135 of Bombay Police Act.

2 The record clearly indicates that all the other accused persons who have attributed with same and/or similar role, have been released on bail by the Trial Court. The Applicant is similarly situated with those accused persons. The Application for bail of the Applicant was rejected only on the ground that the charges in the present case are yet to be framed and the contention of the Applicant that there is settlement between the parties inter-se is to be tested by recording evidence of the concerned witnesses. As noted earlier, all the other

accused persons who have been attributed with same and/or similar role, have been released on bail by the Trial Court and therefore, the Applicant is entitled to be released on bail on the ground of parity.

Hence, the the following order:

i) The applicant be released on bail in C.R. No. I-1 of 2017 dated 04.01.2017 registered with Bhiwandi City Police Station, District Thane on his furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.

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

iii) The applicant shall also attend all the dates before the Trial Court.

iv) The Applicant shall not tamper with the evidence and/or pressurize or threaten the prosecution witnesses.

v) Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)