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

CRIMINAL BAIL APPLICATION NO.413 OF 2018

Farhan @Sonu Ansari

...Applicant

Versus

The State of Maharashtra

...Respondent

Ms.Sonal Parab, i/b Rajeev Sawant and Associates, for the Applicant.

Ms.P.N.Dabholkar A.P.P for the Respondent-State.

CORAM : REVATI MOHITE DERE, J.

DATE : 15th MARCH, 2018

P.C. :

1. Heard learned counsel for the parties.
2. By this application, the Applicant seeks his enlargement on bail in connection with C.R.No.I-14 of 2015 (Sessions Case No.406 of 2017), registered with the Arnala Police Station, Vasai, Palghar, for the alleged offences punishable under Sections 395 and 342 of the Indian Penal Code and under Sections 3 and 25 of the Arms Act.
3. Perused the charge-sheet. Learned Counsel for the applicant

seek bail on the ground of parity. She submitted that similarly placed co-accused - Sarfraj Khan @Sonu Amir Hasan Khan has been enlarged on bail by this Court (Coram:A.S.Gadkari, J.) vide order dated 8th January, 2018 passed in Criminal Bail Application No.1915 of 2017.

4. Learned APP does not dispute the same. It is pertinent to note that the applicant has not been identified by any of the witnesses nor is there recovery of any valuable article/weapon, at the instance of the applicant. Investigation is complete and charge-sheet is filed.

5. Considering the aforesaid, the application is allowed and the applicant is enlarged on bail on the following terms and conditions:-

ORDER

i) The Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.50,000/- with one or more local solvent sureties in the like amount;

ii) The Applicant shall attend the concerned Police Station, on the first

Monday of every month, between 11:00 a.m. to 2:00 p.m., till the conclusion of the trial;

iii) The Applicant shall not tamper with the evidence or attempt to influence the complainant, witnesses or any person concerned with the case and shall attend the trial Court on every date of hearing;

iv) The Applicant shall co-operate in the conduct of the trial;

v) An undertaking to the aforesaid clauses (ii) to (iv), shall be filed by the Applicant, in the Registry of the trial Court, within two week's of his release;

vi) It is made clear, that any 2 consecutive defaults, in complying with any of the conditions as stated above, the prosecution shall be at liberty to seek cancellation of Applicant's bail.

6. The Application is allowed and disposed of in above terms.

7. It is made clear, that the observations made herein are *prima*

facie and are confined to this application and the learned Judge to decide the case on its own merits, uninfluenced by the observations made herein.

8. All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)