

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

BAIL APPLICATION NO. 469 OF 2017

Shiva Tagvel Harijan @ Shiva Dosa

... **Applicant**

V/s.

The State of Maharashtra

... **Respondent**

Mr. Khan Abdul Wahab for the Applicant.

Mr. Ameet Palkar, APP for the Respondent/State.

CORAM : A.S.GADKARI, J.

DATE : 21th FEBRUARY, 2018

P.C.:

. This is an application under Section 439 of Cr.P.C. for bail in C.R. No. 288 of 2016 dated 17.06.2016 registered with Malad Police Station, Mumbai under Sections 302, 143, 144, 145, 147, 148, 149, 120-B, 201 read with Section 34 of the Indian Penal Code and under Section 37(1)(a) and 135 of the Mumbai Police Act.

2 Heard the learned Counsel for the Applicant and the learned APP. Perused the charge-sheet.

The learned Counsel for the Applicant submitted that the co-accused namely Sandeep Periyar who has been attributed with the same and/or similar role in the present crime has been released on bail by the Trial Court on 19.12.2017 and therefore, the Applicant is entitled to claim parity.

The learned APP fairly conceded to the said fact.

3 The record indicates that the co-accused Sandeep Periyar has been attributed with same and/or similar role who has been released on bail by the Trial Court. The Applicant is similarly situated and is entitled to be released on bail on the ground of parity.

Hence, the following order.

- i) The applicant be released on bail in C.R. No. 288 of 2016 dated 17.06.2016 registered with Malad Police Station, Mumbai 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 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.)