

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

ANTICIPATORY BAIL APPLICATION NO.1446 OF 2018

Suzan M. D'Souza

... **Applicant**

V/s.

The State of Maharashtra

... **Respondent**

Mr. Pramod Bhosle i/b Mr. Sharad Bhosle for the Applicant.

Mr. S.S. Hulke, APP for the Respondent State.

Mr. M.G. Jadhav, PI, Vikhroli Police Station.

CORAM : A.S.GADKARI, J.

DATE : 23rd JULY 2018

P.C.:

1. This is an application under Section-438 of the Code of Criminal Procedure for pre-arrest bail in CR No.174/2015 dated 28.05.2015 registered with Vikhroli Police Station under Sections 420, 465, 467, 471 r/w.34 of the Indian Penal Code.

2. Learned counsel for the applicant submitted that the co-accused namely Smt. Kasturi Prabhu, Shri. Manoj Prabhu and Shri. Shashikant Prabhu have been granted pre-arrest bail by this by its Order dated 04.06.2018 in ABA/2144/2017. He submitted that the applicant is similarly situated with the said accused persons, who

have been granted pre-arrest bail by this Court, and therefore, the applicant is entitled to be released on bail on the ground of parity. Learned APP fairly conceded to the said fact.

3. After perusing the documents annexed to the application and the record of investigation, this Court is of the considered view that, the role assigned to the applicant is same or similar to that as has been attributed to the co-accused in ABA/2144/2017, and therefore, the applicant is entitled to get relief on the ground of parity.

Hence, the following Order:

- (a) In the event of arrest in CR No.174 of 2015 registered with Vikhroli Police Station, Mumbai, the applicant shall be released on bail on his furnishing PR Bond in the sum of Rs.25,000/- with one or two local solvent sureties in the like amount.
- (b) The Applicant shall attend the investigating officer as and when called for by the investigating officer between 10.00 a.m. and 2.00 p.m. and to join the process of investigation.
- (c) The Applicant shall not tamper with the evidence and/or influence the prosecution witnesses.

(A.S.GADKARI, J.)