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

BAIL APPLICATION NO.2063 OF 2018

Mayur Mahadev Salunke .

..Applicant

Vs

The State of Maharashtra

..Respondent

Mr. K.S. Patil a/w Rashmi Majrekar I/b P.M. Patil for Applicant.

Ms. J.S. Lohokare, APP for State.

CORAM : A.S.GADKARI, J.

DATE : 28th November 2018.

P.C.:

1] This is an application under Section 439 of Cr. P.C for bail. The applicant herein is arrested on 30th August 2016 in CR No.600 of 2016 registered with Nigdi Police Station, District Pune for the offences punishable under Sections 302, 120(B), 143, 147, 148, 149 read with 34 of the Indian Penal Code, under Section 37(1) read with 135 of Bombay Police Act and 4(25), 3(25) of Arms Act.

2] Heard the learned counsel appearing for the applicant and the learned APP for the State. Perused the record.

3] The learned counsel for the applicant submitted that, the co-accused Kiran J. Kiratkar, Somnath A. Suryavanshi and Vaibhav A. Garge

have been attributed the same or similar role as of applicant in present crime and they have been released on bail by this Court by its Orders dated 26th June 2018 and 24th July 2018 respectively and therefore the present applicant is claiming parity with them.

4] In the aforesaid Orders passed by the Co-ordinate Bench (Smt. S.S. Jadhav, J.) it has been observed that, though there are eye-witnesses in the present case, however, none of the eye-witnesses have named the said accused. None of them have made categorical statement about the present applicant also and therefore the present applicant is also entitled to be released on bail on the ground of parity.

Hence the following Order:

i] The applicant be enlarged on bail on his furnishing P.R. Bond in the sum of Rs.25,000/- with one or more solvent local sureties in the like amount.

ii] After his release from jail, the applicant shall attend the concerned Police Station on first Monday of every month between 10.00 a.m to 1.00 p.m till conclusion of the trial.

iii] The applicant shall inform his latest place of residence and mobile number immediately after being released and/or change of

residence or mobile details, if any, from time to time to the Trial Court as well as to the concerned Police Station, in writing.

iv] The applicant shall not enter the jurisdiction of Nigdi Police Station, except for the purpose of attending the police station.

v] Upon being released, the applicant shall give an undertaking to the learned Sessions Judge, Pune, seized with Sessions Case No.1117 of 2016 to the effect that he shall attend all the dates at the time of trial.

vi] Upon failure to attend more than two consecutive dates, the prosecution would be at liberty to file an application under Section 439(2) of Cr. P.C.

5] Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)