

Dond

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

BAIL APPLICATION NO. 2314 OF 2017

Pappu @ Jharuddin Kahn Chav Khan

... Applicant

V/s.

The State of Maharashtra

...Respondent

Ms. Anjali Patil for applicant.

Ms. PN. Dabholkar, APP for State.

CORAM : A.S.GADKARI, J.

DATE : 25th JANUARY 2018.

P.C.:

1] This is an application under Section 439 of Cr. P.C. for bail in CR No. 108 of 2015 dated 28.11.2015 registered with V.P. Road Police Station, Mumbai, under Section 364(a), 365, 342, 323, 387, 120B of Indian Penal Code and under Sections 3 and 25 of Arms Act.

2] Heard the learned Counsel for the applicant and the learned APP. Perused the chargesheet.

3] The learned Counsel for the applicant submitted that the accused No.1 Munsaid Harun Khan who has been attributed with same or

similar role and who has also been identified in test identification parade, is released on bail by this Court by its Order dated 14th July 2017. She submitted that the applicant has played lesser role than the co-accused Munsaid Harun Khan and the applicant has not been identified by the informant or other witnesses. She therefore submitted that the applicant may be released on bail on the ground of parity.

4] Perused the chargesheet.

It appears from the record that, the applicant has not been identified by any informant and/or by any other witness. The role attributed to the applicant is of a conspirator. The co-accused Munsaid Harun Khan has been released on bail by this Court by an Order dated 14th July 2017 and the applicant is entitled to be released on bail on the ground of parity.

Hence, the following Order:

- (i) Bail Application No.2314 of 2017 is allowed.
- (ii) The applicant is directed to be released on bail on furnishing P.R. Bond in the sum of Rs.25,000/(Rupees Twenty Five Thousand only.) with one or more local sureties in the like amount.
- (iii) The applicant is directed to report to the concerned police

station once in a month on the first Saturday between 11.00 am to 1.00 pm.

(iv) The applicant shall attend the trial Court on the date of hearing.

(v) The applicant shall not leave jurisdiction of trial Court without prior permission of the Court.

5] Application stand disposed of.

(A.S.GADKARI, J.)