

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

BAIL APPLICATION NO. 2603 OF 2017

Shekhar Gautam Waghamare @ Babu ... **Applicant**

V/s.

The State of Maharashtra ... **Respondent**

Mr. R.V. Gupta for the Applicant.

Ms. A.A. Takalkar, APP for the Respondent/State.

PI Ashok Badle, attached to Vinoba Bhave Nagar Police Station.

CORAM : A.S.GADKARI, J.

DATE : 07th FEBRUARY, 2018

P.C.:

. This is an application under Section 439 of Cr.PC. for bail in C.R. No. 86 of 2016 dated 11.04.2016 registered with Vinoba Bhave Nagar Police Station, Mumbai under Sections 302, 328, 364, 201 and 120(B) of the Indian Penal Code.

2 The learned Counsel for the Applicant submitted that co-accused Kishor Jadhav and Raju Jadhav who have played same and/or similar role in the present crime have been released on bail by this Court by its order dated 27.09.2017 and 09.11.2017 respectively and therefore, the Applicant is entitled to be released on bail on the ground of parity.

3 Perused the record. It prima facie appears that the role played by the co-accused Raju Jadhav stands on a higher pedestal than the present Applicant and therefore, the Applicant is entitled to be released on bail on the ground of parity.

4 Hence, the following order:

i) The applicant be released on bail in C.R. No. 86 of 2016 dated 11.04.2016 registered with Vinoba Bhave Nagar Police Station, Mumbai on his furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.

ii) The applicant shall also attend all the dates before the Trial Court.

iii) The Applicant shall not tamper with the evidence and/or pressurize or threaten the prosecution witnesses.

iv) Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)