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

BAIL APPLICATION NO. 2747 OF 2017

Baban @ Anilkumar Nandu Sinh Patel **... Applicant**

V/s.

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

Mr.Kuldeep S. Patil for the Applicant.
Mr.S.S. Hulke, APP for the Respondent/State.

CORAM : A.S.GADKARI, J.

DATE : 2nd FEBRUARY 2018.

P.C.:

1] This is an application filed under section 439 of Cr.P.C for bail in CR No.I-195 of 2016 registered with Waliv Police Station, Palghar for the offences punishable under Sections 302, 201 r/w 34 of the Indian Penal Code.

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

3] Learned counsel for the applicant submitted that co-accused Rajesh Rama Singh who has been attributed with same and/or similar role

has been released on bail by this Court by an Order dated 20th November, 2017 and therefore the applicant is entitled to be released on bail on the ground of parity.

4] The learned APP submitted that apart from the circumstance propounded against the co-accused Rajesh Singh and an additional circumstances of motive revolves around the present applicant. He submitted that it is the applicant who in search of his daughter namely Aratidevi came to Mumbai from the State of Bihar and when the deceased Mahendra Singh refused to disclose any information about his son Deepak, the applicant alongwith co-accused committed murder of Mahadev Singh.

5] After perusing the chargesheet and order dated 20th November, 2017, this Court is of the view that the applicant is similarly situated as that of Rajesh Rama Singh and therefore is entitled to be released on bail on the ground of parity.

Hence the following order:

:: ORDER ::

- (i) The application is allowed.
- (ii) The applicant / accused in CR No.I-195 of 2016 registered with Waliv Police Station, Palghar for the offences punishable

under Sections 302, 201 r/w 34 of the Indian Penal Code be released on bail on executing P.R. Bond of Rs.25,000/- with one or two solvent local sureties in the like amount.

(iii) As a condition of this order the applicant should not tamper with the prosecution evidence.

(iv) The applicant / accused shall not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him from disclosing such facts to the Court or to the Police Officer.

(v) The application is disposed of accordingly.

(A.S.GADKARI, J.)