

*Nalawade*FARAD CONTINUATION SHEET No.IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTIONBAIL APPLICATION NO. 2754 OF 2017
Shri. Sagar Premnath Aher vs. State of Maharashtra

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Sachin Gite for the applicant.

Mrs. Anamika Malhotra, APP for the Respondent-State.

CORAM :A.S.GADKARI, J.

DATE : 5th January, 2018

P.C.

1. This is an application under Section 439 of Cr.P.C. for bail in Cr No. II-147 of 2017 registered with Ganeshpuri Police Station, Bhiwandi under Section 286 read with 34 of the Indian Penal Code, under Sections 5 and 6 of the Explosive Substances Act, 1908 and under Section 9(B) of the Explosive Act, 1884.

2. It is the case of the prosecution that the applicant along with co accused Shankar Aher and Ajay Gavali transported prohibited explosive substances and sold the same to accused No.4 Sandeep Akkar. During the course of investigation, the applicant came be arrested on 20.5.2017. After completion of investigation, police have submitted charge sheet.

3. The record indicates that co-accused namely Ajay Gavali has already been released on bail on the ground of parity by this Court by Order dated 20.12.2017. The record clearly indicates that the applicant has been attributed with same and similar role as that of co-accused Ajay Gavali.

4. In view thereof, the applicant is entitled to be released on bail on the ground of parity.

Hence, the following order.

(i) The Applicant be released on bail in CR No. II-147 of 2017 registered with Ganeshpuri Police Station, Bhiwandi on his furnishing PR bond of Rs. 30,000/- with one or two solvent local sureties in the like amount;

(ii) After his release from the jail, Applicant shall attend the concerned Police Station on every 1st Monday of the month between 10.00 a.m. to 12.00 noon till the conclusion of trial;

(iii) Applicant shall also attend all the dates before the trial Court;

(iv) Applicant shall not tamper with the evidence and/or influence the prosecution witnesses.

5. Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)