

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

ANTICIPATORY BAIL APPLICATION NO. 3172 OF 2018

Nitinkumar M . Pise

...Applicant.

Vs.

The State of Maharashtra

...Respondent.

Mr. D.G.Khamkar for the Applicant.

Mr. A.A. Palkar, APP. for the Respondent/State.

CORAM : A.S.GADKARI, J.

DATE 20th December, 2018

PC :

1. This is an application under Section 439 of the Code of Criminal Procedure for bail in CR No. 1089/2017 registered with Hadapsar Police Station, Pune under Sections 120(B), 115, 467, 468, 471 of the Indian Penal Code.
2. Heard the learned counsel for the applicant and the learned APP. Perused the record.

3. The learned counsel for the applicant submitted that, it is the allegation of the prosecution that, the applicant alongwith other accused persons accepted contract to commit murder of Mr. Mangesh Tupe and made preparation in that behalf. The learned counsel for the applicant submitted that, co-accused who are similarly situated and have been attributed with same and/or similar role have been released on bail by this Court by its Order dated 31.10.2018.

Perusal of the first information report and the record indicates that there is substance in the contention of the learned counsel for the applicant and the applicant is entitled to be released on bail on the ground of parity.

4. Hence, the following order.

- a) The applicant be released on bail in CR No. 1089/2017 registered with Hadapsar Police Station, Pune on his furnishing PR bond of Rs.50,000/-with one or two solvent local sureties in the like amount.
- b) The applicant shall attend the Investigating officer on every first Monday of the month between 10.00 a.m.to 1.00p.m. till the conclusion of trial.
- c) The applicant shall attend all the dates before the Trial Court unless

precluded on medical ground.

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

e) Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)