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

**INTERIM APPLICATION NO. 1 OF 2019
IN
CRIMINAL APPEAL NO. 833 OF 2014**

Sagar Babu Parmar ..Applicant
vs.
The State of Maharashtra ..Respondent

.....
Mr. Nitin Pradhan i/b. Ms. Khot for applicant.
Mr. J.P. Yagnik, APP for State.
.....

**CORAM : RANJIT MORE &
M.S.KARNIK, JJ.**

DATE : 20th NOVEMBER, 2019

P.C.:-

Heard.

2. The applicant is the original accused No.1 in Sessions Case No. 180 of 2019 before the Additional Sessions Judge, Satara. The applicant and the original accused No.2 by name Hamid Rahim Shaikh came to be convicted for an offence punishable under Section 302 read with 34 of the Indian Penal Code and sentenced to suffer life imprisonment.

3. The Appeal filed by said Hamid Shaikh bearing No.963 of 2014 as well as the Appeal filed by the present applicant bearing No. 833 of 2014 have already been admitted. The accused No. 2 Hamid Shaikh filed criminal application No. 991 of 2018 for bail during the pendency of the Appeal and Division Bench of this Court (Coram :B.P. Dharmadhikari & Mrs. Swapna S. Joshi, JJ.) by order dated 25th July, 2015 released the said accused No.2 Hamid Shaikh on bail. The present application is filed by the applicant for bail claiming parity with accused No.2 Hamid Shaikh.

4. We have gone through the order dated 25th July, 2019 passed in Criminal Application No. 991 of 2018 whereby the accused No.2 is released on bail. We have also seen the set of circumstances alleged and the evidence adduced against accused No.2 as well as the present applicant - accused No.1. We find that the nature of the allegations alleged and the evidence adduced in support of the allegations against accused No.2 Hamid Shaikh as well as the present applicant are similar.

5. In these circumstances, we are of the opinion that the applicant deserves to be released on bail on following terms and conditions.

(i) The applicant shall be released on bail on his furnishing PR bond in the sum of Rs.20,000/- with one or two sureties in the like amount ;

(ii) The applicant shall place on record on affidavit address at which he shall be always available during pendency of this Appeal with his contact number ;

(iii) Similar details in relation to his surety/s shall also be furnished ;

(iv) He shall report on first working Monday once after interval of two months to Superintendent/Registrar of the trial Court ;

(v) Vakalatnama filed in Appeal shall be kept alive and valid during pendency of Appeal. He

shall not be entitled to any fresh notice at the stage of final hearing;

(vi) Failure to observe terms and conditions of this order shall entitle respondent to take him in custody.

6. The application is accordingly allowed and disposed of.

(M.S.KARNIK, J.)

(RANJIT MORE, J.)