

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 453 OF 2019

Hiliary Isthar Kigen

....Applicant.

Vs.

The State of Maharashtra

....Respondent.

Ms. Anjali Patil for the Applicant.

Mr. Ajay Patil APP, for the Respondent-State.

CORAM : A. S. GADKARI, J.

DATE : 18th MARCH, 2019.

P.C.:-

This is an Application under Section 439 of the Code of Criminal Procedure for bail in CR No. I-68 of 2018 dated 25th February, 2018 registered with Mira-Road Police Station, Thane (Rural) under Sections 420, 465, 467, 471 read with Section 34 of the Indian Penal Code.

2 Heard the learned counsel appearing for the Applicant and the learned APP. Perused the charge-sheet.

3 The learned counsel for the Applicant submitted that the co-accused namely Kalam Usman Khan who has been attributed with same and/or similar role in the present crime has been released on bail by this Court by its Order dated 19th September, 2018 and

therefore, the Applicant may be released on bail on the ground of parity.

4 Perusal of the record would indicate that, the Applicant has played same and/or similar role as of Kalam Usman Khan who has been granted bail and therefore, the Applicant is entitled to be released on bail on the ground of parity.

Hence the following order:-

- a) The Applicant shall be released on bail in CR No. I-68 of 2018 dated 25th February, 2018 registered with Mira-Road Police Station, Thane (Rural) upon furnishing PR Bond in the sum of Rs.25000/- with one or two local sureties in the like amount;
- b) After released from Jail, the Applicant shall attend Mira Road police station, District Thane, on every first Monday of the month between 11.00 a.m. and 1.00 p.m..
- c) The Applicant shall attend all the dates before the Trial Court unless precluded on medical reasons.
- d) Any two consecutive defaults in complying with the afore-stated conditions will attract the provisions of

cancellation of bail.

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

5 Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)