

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****BAIL APPLICATION NO. 628 OF 2019**

Sunil @ Bachi Radheshyam Rajbhar

....Applicant.

Vs.

The State of Maharashtra

....Respondent.

Mr. Sandeep Singh for the Applicant.

Ms. Rutuja Ambekar APP, for the Respondent-State.

CORAM : A. S. GADKARI, J.

DATE : 22nd MARCH, 2019.

P.C.:-

This is an Application under Section 439 of the Code of Criminal Procedure read with Section 21 (4) of the Maharashtra Control of Organized Crimes Act, 1999 (for short, "*the MCOC Act*") for bail in CR No. I-20 of 2017 registered with Narpoli Police Station, District Thane under Sections 307, 323, 504, 143, 147, 148 and 149 of the Indian Penal Code and under Sections 3(1), 3(2), 3(4) of the MCOC Act, now culminated into M.C.O.C. Case No. 12 OF 2017.

2 Perusal of the charge-sheet would indicate that, Mr. Suman Zha is stated to be the leader of the organized crime syndicate of which the Applicant is a member. The said accused has been

granted bail by this Court by its Order dated 31st January, 2019. The role attributed to the Applicant in the present crime is much lesser than that of the head of organized crime syndicate and therefore, the Applicant is entitled to be released on bail on the ground of parity.

Hence, the following Order-

- a) The Applicant is released on bail in C.R. No. I-20 of 2017, registered with Narpoli Police Station, District-Thane, now culminated into M.C.O.C. Case No. 12 OF 2017 pending on the file the Court of Special Judge, Thane, MCOC on his furnishing P.R. bond of Rs.25,000/-, with one or more sureties in the like amount;
- b) Applicant shall attend Bhiwandi Police Station, District-Thane, once in a month on first Saturday between 11:00 to 1:00 p.m., till further order;
- c) Applicant shall not enter within the jurisdiction of Narpoli Police Station, District – Thane;
- d) Applicant shall provide details of his residential address to the Investigating officer after his

release from jail;

- e) Applicant is permitted to furnish cash security of Rs.25,000/-, in lieu of surety, for a period of three weeks from today;
- f) Application is allowed in the aforesaid terms;
- g) Parties to act on an authenticated copy of this order.

(A.S. GADKARI, J.)