

Dond

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

BAIL APPLICATION NO. 746 OF 2019

Sikandar Utimiya Sheikh

..Applicant

Vs

The State of Maharashtra

..Respondent

Mr. Amit Mane for Applicant.
Mr. R.M. Pethe, APP for State.

CORAM : A.S.GADKARI, J.

DATE : 19th March 2019.

P.C.:

- 1] This is an application under Section 439 of Cr. P.C. for bail in CR No. I-241 of 2017 dated 5.8.2017 registered with Mira Road Police Station, District-Thane under sections 302, 201 read with 34 of the Indian Penal Code.
- 2] Heard the learned counsel for the applicant and the learned APP. Perused the chargesheet.
- 3] The learned counsel for the applicant submitted that, the present applicant has played same and/or similar role as has been attributed to the co-accused namely Mohammed Yusuf Mulla @ Subhan who has been released on bail by this Court by its Order dated 19th October 2018 and therefore the present applicant may be released on bail on ground of parity.

4] Perusal of the chargesheet would indicate that, there is substance in the contention of the learned counsel for the applicant. That the applicant has been attributed with same and/or similar role as that of co-accused Mohammed Yusuf Mulla @ Subhan who has been released on bail by the aforesaid Order.

5] In view thereof, the applicant can be released on bail on the ground of parity.

Hence, the following Order:

i] Applicant is directed to be released on bail in CR No. I-241 of 2017 registered with Meera Road Police Station, District-Thane on his furnishing PR bond of Rs.25,000/- with one or more sureties in the like amount;

ii] Applicant shall report concerned Police Station once in a month on first Saturday between 10.00 a.m to 12.00 noon till conclusion of trial;

iii] Applicant shall not tamper with the evidence and/or influence the prosecution witnesses;

iv] Applicant shall attend the Trial Court during the course of hearing of the case regularly, unless exempted by the Court;

6] Criminal Bail Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)