

Dond

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

BAIL APPLICATION NO. 908 OF 2019

Kiran Gangaram Shelar

..Applicant

Vs

The State of Maharashtra

..Respondents

Mr. Sujit Shelar for the Applicant.
Mr. Amit Palkar, APP for the State.

CORAM : A.S.GADKARI, J.
DATE : 24th April 2019.

P.C.:

1] This is an application under section 439 of Cr. P.C for bail in CR No.I-71 of 2018 dated 11.5.2018 dated registered with Shil-Daighar Police Station, District Thane under sections 307, 365, 324, 326, 364, 143, 144, 148, 149 of the Indian Penal Code and sections 3 and 25 of the Arms Act.

2] Heard the learned counsel for the applicant and the learned APP. Perused the record.

3] The learned counsel for the applicant submitted that, the principal accused Jitesh alias Bhavesh Bhoir and other accused persons have been released on bail by this Court by its Order dated 31st January

2019 and therefore the applicant may be released on bail on the ground of parity.

4] The role attributed to the applicant is that, he was driving the red colour Swift car from which the principal accused Bhavesh along with other accused persons abducted Avinash Fadtare and assaulted him near Barve Dam, Ambernath. The role of actual assault with knife and other dangerous weapons, is attributed to the Bhavesh Bhoir and other accused persons. The role played by the applicant is little lesser than the role played by the principal accused Bhavesh Bhoir who has been released on bail. In view thereof, the applicant herein is entitled to be released on bail on the ground of parity on same terms and conditions.

5] Hence the following Order:-

i] Applicant is directed to be released on bail in connection with C.R. No.I-71 of 2018 registered with Shil-Daighar Police Station, District Thane on furnishing PR bond in the sum of Rs.25,000/-with one or more solvent local sureties in the like amount.

ii] Applicant shall report to Shil-Daighar Police Station, District Thane on every first Saturday of the month between 11-00 a.m to 1.00 p.m..

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

6] Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)