

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

CRIMINAL BAIL APPLICATION NO. 1967 OF 2019

Ketan Kaliraj Rathod . . . Applicant

Versus

The State of Maharashtra . . . Respondent

Mr. Rajiv Patil i/b. Ms. Priyanka Thakur, Advocate for the Applicant.

Mr. Ajay Patil, A.P.P. for the Respondent-State.

CORAM : SANDEEP. K. SHINDE, J.
DATE : 08th NOVEMBER 2019.

P.C.

1 Heard learned counsel for the applicant and learned A.P.P. for the Respondent - State.

2 Applicant is seeking release on bail in connection with Crime No. I-264 of 2016 registered with the Narpoli Police Station, Thane for the alleged offences punishable under Sections 307, 143, 145, 147, 149 of Indian Penal Code, 1860; Section 4 and 25 of Indian Arms Act read with Section 37(1), 135 of Maharashtra Police Rules.

3 The First Information Report was lodged on 29.05.2016.

4. The Applicant came to be arrested on 19.07.2016. It is alleged that the applicant with other three persons

assaulted Jitin. It is alleged that the applicant and Pawan @ Raj Balu Jadhav were armed with the Chopper and inflicted blows on the head of Jitin.

5. Learned senior counsel Mr. Patil has pointed out the order passed by this Court on 07.02.2019 in Criminal Bail Application No. 2631 of 2018 whereby Pawan @ Raj Balu Jadhav (co-accused) has been released on the bail. Mr. Patil has pointed out, the role attributed to Pawan @ Raj Balu Jadhav is a same, which has been attributed to the present applicant. In view of this, the bail is sought on the ground of the parity.

6. Learned A.P.P. has pointed out from the affidavit of Vijay Deoram Mutakadak, Assistant Police Inspector criminal antecedents of the applicant. It show five crimes are registered against the applicant. However, co-accused Pawan (who is released on bail) is co-accused in four crimes.

7. In view of the facts of the case and particularly, on principles of parity, application is allowed and applicant is directed to release on the bail on the following conditions :

ORDER

- (i) Criminal Bail Application is allowed;
- (ii) Applicant is directed to be released on bail in connection with CR No. I-264 of 2016 registered with Narpoli Police Station on furnishing P.R. Bond in the sum of Rs.25,000/- with one or more sureties in the like amount;
- (iii) Applicant shall stay out of the jurisdiction of Narpoli Police Station;
- (iv) Applicant shall furnish details of place of residence to the Investigating Officer after his release on bail and shall report to the Shantinagar Police Station once in a month on first Saturday of every month between 11 a.m. to 1 p.m. till further order;
- (v) Criminal Bail Application stands disposed off.

(SANDEEP. K. SHINDE, J.)