

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

CRIMINAL APPLICATION NO. 1191 OF 2017

in

CRIMINAL APPEAL NO. 605 OF 2012

Pradeep s/o. Oliver D'meloApplicant

versus

The State of MaharashtraRespondent

Mr. R. D. Suryawanshi, advocate for the applicant.

Mr. J. P. Yagnik, APP for the State.

**CORAM : RANJIT MORE &
M. S. KARNIK, JJ.**

DATE : 11th NOVEMBER, 2019.

P. C. :

1. Heard learned counsel for the respective parties.
2. Perused the report dated 8th September, 2018 of the Superintendent, Kolhapur Central Prison, Kalamba, Kolhapur. The above report reveals that as of today, the applicant has actually undergone imprisonment of 15 years and with remission of approximately 18 years.
3. The application is filed by the present applicant seeking release on bail during the pendency of the appeal. The case of the present applicant – accused No.3 and the applicant-accused No.2 in criminal application No.1394 of 2017 is similar. A Division Bench of this Court, by its order dated 9th October, 2019, released the applicant-

Shubhada S Kadam

1/3

accused No.2 in criminal application No.1394 of 2017 on bail. The present applicant, therefore, has approached us for releasing him on bail claiming parity. The applicant-accused No.2 in criminal application No.1394 of 2017 had actually undergone 12 years of imprisonment and with remission more than 14 years and, on that ground, he was released on bail on certain conditions by this Court by order dated 9th October, 2019.

4. Since the case of the present applicant is similar to the case of the applicant-accused No.2 in criminal application No.1394 of 2017, on the ground of parity, we release the present applicant on bail on the following conditions :

- (a) The applicant shall execute P.R. Bond in the sum of Rs.20,000/- before the Trial Court with one or more sureties in the like amount.
- (b) He shall give address at which he shall always be available during the pendency of this appeal along with his contact numbers.
- (c) Similar details in relation to his sureties shall also be furnished.
- (d) He shall not in any way directly or indirectly attempt to contact or pressurize either complainant or any of the witnesses in the matter.

(e) He shall keep vakalatnama of his advocate alive and valid till the appeal is finally decided by this Court and shall not be entitled to any fresh notice at the stage of final hearing.

(f) He shall report at the Police Station having jurisdiction over his residence once in every three days during the pendency of the appeal.

(g) His failure to observe any of the terms and conditions shall entitle the respondent-State to take him in custody forthwith.

5. In the light of the above, the criminal application stands disposed off.

[M. S. KARNIK, J.]

[RANJIT MORE, J.]