

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

CRIMINAL BAIL APPLICATION NO. 2274 OF 2019

Anthony Kaspar Sugirdam	...	Applicant
V/s.		
The State of Maharashtra & Anr.	...	Respondents

Mr.M.P. Mishra for Applicant.
Mr.R.M. Pethe, APP for Respondents-State.

CORAM : A.S. GADKARI, J.

DATE : 9th October 2019.

P.C. :

1] This is a consecutive application for bail preferred by the applicant. The earlier application for bail preferred by the applicant bearing No.1214 of 2017 was rejected by this Court by its Order dated 8th February 2018.

2] The record indicates that, subsequent thereto, two accused persons, namely, Nagendra Sauru Sahani and Antosh @ Barkya Tukaram Malkar have been released on bail by the Trial Court.

While rejecting the earlier application preferred by the applicant, this Court had observed that, the principal accused in the

present crime is Antosh @ Barkya Malkar and the applicant herein is a member of his gang.

3] As noted earlier, the principal accused Antosh @ Barkya Malkar had been released on bail by the Trial Court and therefore, the principle of parity squarely applies to the applicant. The role played by the applicant in the present crime is lesser than the principal accused.

4] In view thereof, the applicant is entitled to be released on bail on the ground of parity. Hence, the following Order.

Order

- (i) Applicant be released on bail in connection with CR.No. 107 of 2015 registered with Malad Police Station on his furnishing P.R. Bond of Rs.15,000/- with one or two local sureties in the like amount.
- (ii) After his release from jail the applicant shall attend Malad Police Station once in a month on the third Saturday between 10.00 a.m. to 2.00 p.m. till conclusion of the trial.
- (iii) Applicant shall furnish his detailed address with contact number at the time of furnishing bail.
- (iv) The Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or any police officer.
- (v) The Applicant shall attend the trial regularly.

- 5] Application is allowed in the aforesaid terms.
- 6] All the concerned to act on the basis of the authenticated copy
of this Order.

[A.S. GADKARI, J.]