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

CRIMINAL BAIL APPLICATION NO. 2828 OF 2018

Ashishkumar Tilak Bhuiya

... **Applicant**

Vs

The State of Maharashtra

... **Respondent**

Mr.Sandeep Mishra a/w. Mr.Prakash Mishra for Applicant.

Mr.R.M. Pethe, APP for State.

CORAM : A.S.GADKARI, J.

DATE : 12th March 2019.

P.C.:

1] This is an application under Section 439 of the Code of Criminal Procedure for bail in connection with C.R. No.I-151 of 2017 registered with Kashimira Police Station, Thane (Rural), under Section 302, 120(B), 34 of the Indian Penal Code, Section 3, 25, 27 of the Indian Arms Act and Section 3(1), 181 of the Motor Vehicle Act.

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

3] The applicant is accused No.4, as per chargesheet. The role attributed to the applicant is that he along with accused No.3 Umeshkumar

Ravidas brought a country made fire arm from the State of Jharkhand and handed it over to accused No.1 Sunilkumar Rajak. It is the prosecution case that accused No.1 Sunilkumar Rajak and accused No.2 Sudipkumar Ravidas committed murder of Shambhu Lahuri Gaud.

4] The record indicates that the accused No.3 Umeshkumar Ravidas has been granted bail by the learned Additional Sessions Judge, Thane by its order dated 10/01/2018. The role played by the applicant and the said accused No.3 Umeshkumar Ravidas is same and/or similar. The applicant is therefore also entitled to be released on bail on the ground of parity.

5] Hence, following order.

- (i) The applicant Ashishkumar Tilak Bhuiya in C.R. No.I-151/17 U/Sec. 302, 120(B) r.w. 34 of I.P.C. of Kashimira Police Station be released on bail on his furnishing P.R. Bond of Rs.30,000/- alongwith one or two solvent sureties in like amount.
- (ii) The applicant shall not tamper with the prosecution evidence and not to give any threats to the informant or witnesses.
- (iii) The applicant shall produce copies of two documents of his permanent residence proof.

- (iv) The applicant shall attend to the dates before the trial Court unless precluded on medical grounds.
- (v) Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)