

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

CRIMINAL BAIL APPLICATION NO.3065 OF 2018

Shakeel Abdul Shaikh

.. Applicant

Vs.

State of Maharashtra

.. Respondent

.....

Mr.Raju D. Suryawanshi, Advocate for the Applicant.
Mr.S.R. Agarkar, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATED : FEBRUARY 5, 2019.

P.C. :

Applicant is arrested on 11th April, 2018 in connection with C.R.No.20 of 2018, registered with Narpoli Police Station, Bhiwandi, District-Thane, for the offence punishable under Sections 465, 467, 468, 474, 420 and 120 read with 34 of Indian Penal Code (“IPC”, for short). Investigation is completed and charge-sheet is filed.

2 The case involves about 79 accused. Nine accused have been granted bail. The case relates to the theft of vehicle and after committing the theft, chassis and engine number of the vehicle was being changed and the same were being sold in the market. The role attributed to the applicant is that he has assisted the co-accused in selling the vehicle. Learned counsel for

the applicant relied upon the order passed by this Court granting bail to the co-accused Sameer Khan Nasir Khan Pathan. It is submitted that the role attributed to the applicant and the aforesaid accused is similar. This fact is undisputed by prosecution. While granting bail this Court has considered the role attributed to said accused and also the fact that there are no antecedents against him and the maximum punishment provided for the offence is seven years. In view of the aforesaid circumstances, case for grant of bail is made out. learned counsel for the applicant prays for parity and seeks bail.

5 Hence, I pass the following order:

:: ORDER ::

- (i) Criminal Bail Application No.3065 of 2018, is allowed;
- (ii) Applicant is directed to be released on bail in connection with C.R.No.20 of 2018, registered with Narpoli Police Station, Bhiwandi, District-Thane, on his furnishing P.R.Bond in the sum of Rs.25,000/-, with one or two sureties in the like amount;

- (ii) Applicant is resident of Dhule. Hence, he is directed to report Chalisgaon Road Police Station, District-Dhule, on first and third Saturday of the month between 10:00 a.m. to 12:00 noon., till further orders;
- (iv) A single default on the part of the applicant will entitle the prosecution to move for cancellation of bail;
- (v) Applicant shall not influence the prosecution witnesses or tamper with the evidence;
- (vi) In case, it is noticed that the applicant is involved in similar type of offence, it shall be open for the prosecution to move for cancellation of bail;
- (vii) Bail Applications stand disposed of.

(PRAKASH D. NAIK, J.)