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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.3391 OF 2018

Jalindar Bhaskar Giri ..Applicant.

V/s.

The State of Maharashtra ..Respondent.

Mr.Sudip Mallick h/f. Mr.Amol Shinde for the applicant.

Mr.S.S.Hulke, APP for the respondent-State.

CORAM: NITIN W. SAMBRE, J.

DATE : JANUARY 3, 2019

P.C.:-

Heard Mr.Sudip Mallick, learned counsel holding for advocate Mr.Amol Shinde. Learned counsel for the applicant would urge that the only remote connection of the applicant as alleged in the charge-sheet, to the crime in question is, he was an accomplice of the main accused Sunil Kamble. According to him, the main accused is already released on regular bail by this Court vide order dated October 10, 2018 passed in Bail Application No.457 of 2018.

2. Learned APP while opposing the bail would try to

impress upon the Court by submitting that it is the present applicant who has helped Sunil Kamble in hiring the vehicle. According to him, the last seen theory can also be considered against the applicant.

3. After considering the rival submissions, what is noticed is, this Court in Bail Application No.457 of 2018 has ordered release of the main accused Sunil Kamble who had conflict with the deceased. The only role attributed to the applicant is that the applicant had hired the vehicle so as to help the main accused Sunil Kamble in the alleged commission of the crime. This Court has already observed in the order referred supra that there is no evidence to infer that the vehicle was used in the commission of crime. That being so, the applicant herein, for the reasons recorded vide order dated October 10, 2018 passed in Bail Application No.457 of 2018, is ordered to be released on the same terms and conditions on which the main accused Sunil Kamble is released.

4. The application stands allowed in above terms.

(NITIN W. SAMBRE, J.)

**CORRECTION CARRIED OUT AS PER SPEAKING TO THE
MINUTES OF THE ORDER DATED JANUARY 14, 2019.**