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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

Criminal Bail Application No. 381 OF 2020

Samadhan B. Sarvale ... Applicant
Vs.
The State of Maharashtra ... Respondent

Mr. Abhijeet Kulkarni i/b Sachin K. Hande, for the Applicant.
Mr. Ajay Patil, APP for the Respondent - State.

CORAM : C. V. BHADANG, J.
DATE : OCTOBER 19, 2020
(Through Video Conferencing)

PC :

1. Heard the learned counsel for the applicant and the learned APP for the respondent State.

2. The applicant (accused No. 2) alongwith co-accused is facing prosecution for the offence punishable under S. 395, 308, 353, 115, 189, 504, 506 of Indian Penal Code, S. 4 / 25 of the Arms Act, 1959, Section 9 and 15 of the Environment (Protection) Act, 1986, Section 3(1)/181, 130/177 of the Motor Vehicles Act, 1988 and S. 3(1) (ii), 3(2) and 3 (4) of the Maharashtra Control of Organized Crime Act, 1999 (for short "MCOCA Act").

3. The learned counsel for the applicant has placed reliance on the order dated 14th January, 2020 passed by this Court (Prakash D. Naik, J.) in Criminal Bail Application No. 2107 of 2019, by which the

co-accused, Rahul Sarvale, has been granted bail. The learned counsel submits that the applicant is similarly situated with co-accused Rahul Sarvale.

4. On 21st September, 2020 this application was adjourned in order to grant time to the learned APP to examine the issue of parity and then to make appropriate statement. Today, Mr. Patil, the learned APP, on instructions, states that the role attributed to the present applicant is similar to the one attributed to the co-accused Rahul Sarvale. The learned APP in all fairness submits that the applicant is entitled to parity.

5. In that view of the matter, and for the reasons mentioned in the order dated 14th January, 2020 passed in Criminal Bail Application No. 2107 of 2019 and on the ground of parity, the following order is passed.

ORDER

- (i) The criminal application is allowed.
- (ii) The applicant is directed to be released on bail in connection with C. R. No. 139 of 2018, registered with Mangalwedha Police Station, district Solapur on furnishing a PR bond in the sum of Rs. 25,000/- with one or more solvent sureties in the like amount.

- (iii) The applicant shall report to concerned police station once in a month on every first Saturday between 10.00 a.m. to 12.00 noon till further ordersc.
- (iv) The criminal bail application is disposed of in the aforesaid terms.

Vinayak
P.
Halemath

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by Vinayak P.
Halemath
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Sd/-
C. V. BHADANG, J.