

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

CRIMINAL BAIL APPLICATION NO. 3639 OF 2019

Rahul Mangal Barade	...	Applicant
V/s.		
The State of Maharashtra	...	Respondent

Mr.Pankaj Kavale for Applicant.
Mr.A.R. Kapadnis, APP for Respondent-State.

CORAM : A.S. GADKARI, J.

DATE : 18th February 2020.

PC. :

1] This is a consecutive application for bail. The earlier Criminal Bail Application No. 64 of 2019 preferred by the applicant was dismissed on 8th April 2019 as withdrawn by granting liberty to him to file a fresh application for bail before the Trial Court, if the trial arising out of C.R. No. I-90 of 2016 registered with Padgha Police Station, District Thane, now culminated into Sessions Case No. 54 of 2017 does not commence within a period of six months from the date of passing of the said Order.

2] As the said trial did not commence, the applicant preferred an application below Exhibit-57 in the said Sessions Case No. 54 of 2017, which has been rejected by the Trial Court.

3] As a matter of fact, even as of today, the prosecution has failed to frame charge in the said Sessions Case. The record indicates that, the co-accused, namely, Pandharinath Parshuram Barade, who has been attributed with same and similar role as has been attributed to the applicant herein, has been granted bail by this Court by an Order dated 26th September 2019.

In view thereof, the applicant deserves to be released on bail on the ground of parity.

4] Hence, following Order :-

- i) The Applicant be enlarged on bail on furnishing PR. Bond in the sum of Rs.25,000/- with one or more sureties in the like amount.
- ii) The Applicant shall not reside in village Tulshi, till the conclusion of the trial. However, liberty is granted to the applicant to file an application, seeking modification/relaxation of the said condition after a reasonable period.
- iii) The Applicant shall not tamper with the evidence or attempt to influence/contact the complainant, witnesses or any person concerned with the case.
- iv) The Applicant shall co-operate in the conduct of the trial.
- v) Application is disposed off in above terms.

5] All the concerned to act on the basis of the authenticated copy of this Order.