

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (BA) NO.111 OF 2020

(Navnath s/o Vishnu Solankar and another Vs. State of Maharashtra thr. PSO PS
Risod, Dist. Washim)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Shri Mir Nagman Ali, Advocate for Applicant.
Shri S.M. Ghodeswar, APP for Non-Applicant/State.

CORAM: ROHIT B. DEO, J.

DATE: 24th FEBRUARY, 2020.

The applicants, who are arrested on 31.01.2020 in connection with Crime 27/2019 registered for offence punishable under Sections 307, 325, 143, 323, 147 and 149 of the IPC are seeking bail on the ground of parity.

2] The incident occurred on 16.01.2019. A dispute between students *inter se* culminated in an assault on the complainant who is the father of the one of the students. The complainant was assaulted with stick and iron rod.

3] I have perused the first information report. It is not in dispute that Gajanan, Gopal, Amol, Shankar are enlarged on bail by the Sessions Court whereas Pravin, Kapil and Yash are enlarged on bail by the Juvenile Justice Board.

4] The role which is attributed to the applicant is identical to the role attributed to the co-accused who are enlarged on bail.

5] However, distinguishing circumstance is that the applicant absconded for one year. Shri Mir Nagman Ali, the learned counsel for the applicant would submit that even the three accused who are enlarged on bail by the Sessions Court absconded for as many as five to six months. The learned counsel would further submit that strict conditions may be imposed to ensure the presence of the applicant in the trial.

6] Considering that the other accused are released on bail, this application is allowed.

7] The applicants are released on bail subject to furnishing P.R. bond of Rs.50,000/- each with a surety of like amount.

8] The applicants shall attend Police Station Risod once in a month on the first Monday, till the conclusion of the trial.

9] The applicants shall scrupulously attend every date of hearing.

10] The Investigating Officer shall ensure that if there is any breach of the conditions imposed, the breach is brought to the notice of this Court forthwith.

11] The applicants are put on notice that any breach of the conditions of bail will *ipso facto* entail in cancellation of bail.

JUDGE