

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

CRIMINAL APPLICATION (BA) NO. 919 OF 2020

Mukul @ Tikya s/o Sanjay Padole, Nagpur

Vs.

State of Maharashtra

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

Shri U.P. Dable with Shri Sumeet Parate, Advocates for the applicant.
Mrs. S.S. Jachak, A.P.P. for the respondent.

CORAM : PUSHPA V. GANEDIWALA, J.

DATED : DECEMBER 22, 2020.

Heard.

2. Learned counsel for the applicant orally seeks leave to amend the name of the applicant.

3. Allowed. The amendment be carried out forthwith.

4. The applicant is said to be arrested in connection with Crime No. 2/2019 dated 01/01/2019 registered at Police Station Imamwada, District - Nagpur for the offence punishable under Section 320 read with Section 34 of the Indian Penal Code, Sections 4 and 25 of the Arms Act, and Sections 135 and 142 of the Bombay Police Act.

5. The allegation against the present applicant, as per the prosecution case, is that he along with the other co-

accused committed murder of deceased Akash by means of Knife and kicks and fist blows.

6. A perusal of the chargesheet show that the vital blow was inflicted by the main accused Shubham by means of Knife, which was recovered at his instance. The role attributed to the present applicant is only to the extent of assaulting the deceased Akash with kicks and fist blows. That similarly situated co-accused Rushikesh has already been released on bail by this Court vide order dated 21/11/2019 passed in Criminal Application (BA) No.937/2019.

7. For all the aforestated reasons, so also considering the fact that the investigation is completed and chargesheet is also filed, coupled with the fact that similarly situated co-accused has already been released on bail, this Court is of the opinion that by imposing suitable conditions, the present applicant also can be released on bail on the ground of parity. Hence, the following order :-

ORDER.

- i. The Criminal Application is allowed.
- ii. The applicant Mukul @ Tikya be released on bail on his furnishing PR bond in the sum of Rs.30,000/- (rupees thirty thousand) with one solvent surety in the like amount.
- iii. The applicant shall not tamper with the prosecution evidence or issue threats to the witnesses.

iv. The applicant to attend the concerned police station on every first Thursday of each month between noon to 2.00 pm.

8. The Criminal Application is disposed of accordingly.

9. The aforesaid observations is only for granting bail to the applicant and it shall not come in the way of the trial Court during trial.

JUDGE

Sumit