

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO.305 OF 2020**

Rakesh Muniswami Naidu ... Applicant

V/s.

The State of Maharashtra ... Respondent

Mr. Satyam H. Nimbalkar, for the Applicant.

Ms. P.P. Shinde - APP for the State.

CORAM : SMT. SADHANA S. JADHAV, J.

DATED : 4th MARCH 2021.

PC. :

1. This is a subsequent application seeking enlargement on bail. Earlier application No.2551 of 2017 filed by the present applicant seeking enlargement on bail was rejected by this Court on merits vide order dated 12th February 2018. Subsequently, this Court (Coram : Sadhana S. Jadhav, J.) had also rejected the application filed by the co-accused Amol Kamble on 30th October 2018. However, the Apex Court vide order dated 3rd April 2019 had allowed the application upon an assurance given by the prosecution that the trial in the present case would be concluded within 8 months. Co-accused Amol Kamble was enlarged on bail. Co-accused Shailendra Deshpande was also enlarged

on bail by the Supreme Court on 16th August 2019 i.e. after framing of charges as the charges were framed against the accused on 3rd April 2019.

2. The co-accused Sunil Kanse was also enlarged on bail by the Apex Court vide order dated 20th January 2020 after commencement of the trial.

3. Co-accused Ashok Lokhande was enlarged on bail by this Court (Coram : Shri Sarang Kotwal, J.) vide order dated 16th October 2019 i.e. after framing of the charges.

4. The learned counsel for the applicant submits that as on today, except the present applicant all the co-accused have been enlarged on bail by the Supreme Court. The learned counsel has submitted that by virtue of doctrine of parity, the applicant also deserves to be enlarged on bail. Taking into consideration the fact that all the accused except the applicant are enlarged on bail, applicant also deserves same relief. Hence, the following order :

ORDER

- (i) Application is allowed;
- (ii) Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.1 Lakh and one or more sureties in the like amount;
- (iii) Applicant shall report before the Sessions Court on each and every scheduled date. On failure to attend the Court on any two consecutive dates, the learned Sessions Judge shall issue non-bailable warrant and take the applicant into custody;
- (iv) The prosecution is then at liberty to file an application seeking cancellation of bail;
- (v) Application is disposed of on above terms.

(SMT. SADHANA S. JADHAV, J)