

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

BHALCHANDRA
GOPAL DUSANE

BAIL APPLICATION NO.1990 OF 2021

Digitally signed by
BHALCHANDRA
GOPAL DUSANE
Date: 2021.10.08
20:27:32 +0530

Dipak Balwan Malik Applicant

Vs.

The State of Maharashtra Respondent

Mr. S.V. Marwadi i/by Mr. N.M. Nadar for Applicant
Mrs. Rutuja Ambekar, APP for State

Coram : NITIN W. SAMBRE, J.

Date : 8th OCTOBER, 2021

P.C.:

1. The applicant is seeking regular bail in Crime No. 505 of 2018, registered with Waliv Police Station, for the offence punishable under Sections 302, 201 and 34 of Indian Penal Code and under Sections 3, 25, 27 of Indian Arms Act.

2. Mr. Marwadi, learned counsel for the applicant claims parity with accused Ashotosh Mishra, who is ordered to be released on bail in Bail Application No. 1370 of 2020 vide order dated 18th March, 2021.

3. Prayer for release on bail is opposed by learned APP on the ground that the witness has named co-accused, Kailas Wagh with other friends present at the scene of offence. It is also claimed that complainant's mother has stated that while interacting on phone, deceased informed name of accused persons.

4. It appears that the available material on record is already considered in the aforesaid order dated 18th March, 2021. The case against the applicant is entirely based on circumstantial evidence.

5. In that view of the matter a case for grant of bail is made out. The application is allowed on following terms and conditions :

ORDER

(i) The applicant be released on bail in Crime No. 505 of 2018, registered with Waliv Police Station, for the offence punishable under Sections 302, 201 and 34 of Indian Penal Code and under Sections 3, 25, 27 of Indian Arms Act, on furnishing P.R. bonds in the sum of Rs.25,000/- with one or more **local** sureties in the like amount.

(ii) The applicant shall report concerned Police Station once in a month on first Saturday of the month between 11.00 am. to 1.00 pm. for a period of six months and thereafter once in three months on first Saturday of the month between 11.00 am to 1.00 pm. till further orders.

(NITIN W. SAMBRE, J.)