

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

CRIMINAL BAIL APPLICATION NO.2105 OF 2021

Abdul Hamid @ Immu Iqbal Shaikh	..Applicant
Versus	
The State of Maharashtra	..Respondent

Mr. Khan Abdul Wahab, Advocate for the Applicant.
Ms. A. A. Takalkar, APP for the Respondent – State.
Mr. Devhare, PSI, Ghatkopar Police Station – present.

CORAM : NITIN W. SAMBRE, J.

DATE : 24th NOVEMBER, 2021

PC.

1. Applicant is seeking regular bail in Crime No.682 of 2019 registered with Ghatkopar Police Station (corresponding to Sessions Case No.215 of 2020 @ 533 of 2020) for the offence punishable under Sections 302, 307, 326, 504, 427, 364, 143, 144, 146, 148, 149 r/w 109, 114 and 34 of IPC.
2. Apart from several criminal antecedents applicant has shown disregard to the externment order entering into the jurisdiction of the respondent police station and committed an offence.
3. Apart from the fact that the applicant is seen from the CCTV footage while committing the offence in question, he was independently identified by the witnesses.

(37) -BA-2105-21.doc.

4. Applicant's claim that he is entitled to be released on bail by invoking principle of parity is concerned, applicant was seen at the spot of the incident even before the commission of the crime which is not the case in regard to the co-accused who is claimed to be similarly placed. The co-accused, who has been granted bail is a female and that perhaps be the reason for her release on bail.

5. As such, case of the applicant cannot be considered to be at par with the co-accused who has been granted bail. There is *prima-facie* case against the applicant in the crime in question which is punishable with life or death.

6. That being so, no case for bail is made out.

7. As such, application stands rejected.

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[NTIN W. SAMBRE, J.]