

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

BAIL APPLICATION NO. 2315 OF 2021

BHALCHANDRA
GOPAL
DUSANE

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BHALCHANDRA
GOPAL DUSANE
Date: 2021.10.29
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Ajit Dilipkumar Gupta Applicant

Vs.

The State of Maharashtra Respondent

Mr. Ravi Dwivedi for Applicant.
Ms. A.A. Takalkar, APP for State.
PI Anna Pawar, Bunder Circle, Special Branch - 1

**Coram : NITIN W. SAMBRE, J.
Date : 28TH OCTOBER, 2021**

P.C.:

1. The applicant came to be arrested on 6th May, 2020 in Crime No. 152 of 2020 registered with R.C.F. Police Station, for the offence punishable under Sections 302, 307, 326, 143, 144, 147, 148, 149, 506(2) of Indian Penal Code a/w 4, 27 of Arms Act a/w 37(1), 135 of Maharashtra Police Act. and is charge-sheeted.
2. The other similarly placed accused informed to be released on bail.

3. The prosecution story is, the applicant alongwith other accused assaulted Prashant, brother of the complainant resulting into his death, which was witnessed by Paresh.

4. Perusal of the statement of Paresh reflects that the role attributed to the present applicant is about his presence of holding iron rod.

5. Since other similarly placed accused are already released on bail and as there are no criminal antecedents against the accused, in my opinion, the applicant is also entitled to be released on bail on parity.

6. The application is allowed on following conditions :

ORDER

(i) The applicant be released on bail in Crime No. 152 of 2020 registered with R.C.F. Police Station, for the offence punishable under Sections 302, 307, 326, 143, 144, 147, 148, 149, 506(2) of Indian

Penal Code a/w 4, 27 of Arms Act a/w 37(1), 135 of Maharashtra Police Act, on furnishing P.R. bond in the sum of Rs.25,000/- with one or more sureties in the like amount.

(ii) The applicant shall neither influence the prosecution witnesses in any manner nor tamper with the evidence.

(iii) The applicant shall attend the trial regularly.

(iv) If there are 2 consecutive defaults in appearing before the trial Court, prosecution will be at liberty to apply for cancellation of Applicant's bail.

(NITIN W. SAMBRE, J.)