

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO.663 OF 2022

Nanasaheb Arjun Upade

... **APPLICANT**

VERSUS

The State of Maharashtra

... **RESPONDENT**

.....
Mr. Satej S. Jadhav, Advocate for applicant
Mr. V.S. Badakh, A.P.P. for respondent – State
.....

CORAM : R. G. AVACHAT, J.

DATE : 22nd JULY, 2022.

PER COURT :

Heard. This is a successive application for bail under Section 439 of the Code of Criminal Procedure. The applicant has been arrested in connection with Crime No.512/2019, registered at Renapur Police Station, District Latur for the offence punishable under Sections 302, 143, 147, 148, 149, 120-B of the Indian Penal Code. The earlier bail application filed by the applicant was rejected by this Court on merits. The applicant had approached the Apex Court in Special Leave Petition. It was, however, withdrawn with a liberty to move the trial Court afresh. The applicant thereafter moved the trial Court, but has been unsuccessful.

2. The learned counsel for the applicant submits that, now the bail is sought on the ground of parity. Three similarly placed co-accused have been granted bail by this Court. Copies of the orders granting bail to the co-accused have been placed on record. There is no dispute that the role played by the present applicant in the alleged crime is similar to that of those who have been enlarged on bail. In view of the parity, I am inclined to grant bail to the applicant. Hence the order :-

ORDER

- (i) The Bail Application is allowed.
- (ii) The applicant shall be released on bail in connection with Crime No.512/2019, registered at Renapur Police Station, District Latur for the offence punishable under Sections 302, 143, 147, 148, 149, 120-B of the Indian Penal Code on his executing P.R. bond in the sum of Rs.50,000/- (Rupees fifty thousand) with two sureties in the like amount.
- (iii) The applicant shall not enter the jurisdiction of village Palshi, Taluka Renapur, District Latur till the conclusion of trial. He should reside elsewhere, and before submission of bail

papers, the applicant should give complete address of his proposed residence with his mobile number to the trial Court as well as to the investigating officer.

(iv) The applicant shall not tamper with the prosecution evidence in any manner and shall not indulge in any criminal activity.

**(R. G. AVACHAT)
JUDGE**

fmp/-