

Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.1099 OF 2021**

Shekhar Vitthal Bagul	]	Applicant
Vs.		
The State of Maharashtra	]	Respondent

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Mr. Advait U. Shukla i/b Mr. Vaibhav Kulkarni, for Applicant.

Mr. A.A. Palkar, A.PP, for Respondent – State.

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CORAM : G.A. SANAP, J.

DATE : 6th MAY, 2022.

P.C.

1. The applicant is accused No.4 in Crime No.33 of 2016 registered at Malegaon Chhavani Police Station, Nashik Rural for the offences punishable under sections 419, 420, 463, 465, 467, 468, 470, 471, 472, 473, 475, 170, 177, 182, 211, 120-B r/w 34 of the Indian Penal Code and under sections 3 and 4 of the Maharashtra Protection of Interest of Depositors (in Financial Establishments) Act, 1999 (for short “M.P.I.D”) and under section 66 (C) (D) of the Information Technology Act, 2000.

2. This is the second application made by the accused for bail before this Court. His first application was rejected vide an order dated 27th February, 2017. In this application, necessary facts in support of the prayer have been mentioned. One of the grounds stated in the application is parity with accused No.2 in this crime who has been granted bail.

3. It is stated that vide order dated 8th April, 2022 passed in Criminal Bail Application No.698 of 2020 with Interim Application No.1653 of 2021 (Coram: Smt. Sadhana S. Jadhav, J.), accused No.2 to whom the serious role has been attributed is granted bail by this Court.

4. Learned A.PP, in all fairness, concedes that role attributed to the applicant who is accused No.4 is less serious. Learned A.PP submits that he appeared before this Court in bail application filed by accused No.2. In short, learned A.PP submits that on the ground of parity, this Court may grant bail to the applicant subject to appropriate conditions.

5. With the assistance of the learned Advocate for the applicant and the learned A.PP, I have gone through the order passed by this Court (Coram: Smt. Sadhana S. Jadhav, J.). It is seen that for the reasons recorded in the order, bail has been granted to the main accused. In my view, on the ground of parity, similar relief can be granted to the applicant. Case of the applicant is fully covered by the reasons recorded by this Court vide order dated 8th April, 2022. The applicant, therefore, deserves to be released on bail subject to appropriate conditions. Hence, the following order;

: ORDER :

[a] Application is allowed;

[b] The applicant be enlarged on bail on furnishing P.R bond in the sum of Rs.1,00,000/- (Rs. One Lakh only) with one or more sureties in the like amount;

[c] The applicant shall remain present on each and every date of the trial in the Sessions Court;

[d] Upon failure to remain present on two consecutive dates before the Sessions Court, the prosecution would be at liberty to seek cancellation of bail;

[e] The application stands disposed of in view of the aforesaid terms.

[G.A. SANAP, J.]