

rajshree

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.1149 OF 2022

Rahul @ Lara Balvant Yadav	]	..	Applicant
vs.			
State of Maharashtra	]	..	Respondent

Mr.Sudeep Pasbola a/w Ayush Pasbola i/b Gazala Dalvi, for the Applicant.

Mrs.Rutuja Ambekar, APP for the State.

CORAM : BHARATI DANGRE, J

DATE : 7th SEPTEMBER, 2022.

P.C.

1] On the last day, the learned APP was asked to ascertain whether benefit of the order passed in case of co-accused Atul Mahendra Singh who has been released on bail by the order of this Court (*Coram: Smt.Anuja Prabhudesai, J*), on 22.03.2022, can be made applicable to the present Applicant.

2] Today, the learned APP fairly states that on perusal of the order dated 22.03.2022, she has instructions to make statement that similar role is attributed to the present Applicant in the subject FIR and since the co-accused has been released on bail, there is no reason why a different treatment shall be accorded to the present Applicant.

3] In the wake of above, by extending the benefit of order passed on 22.03.2022 in the case of Atul Mahendra Singh (BA NO.3716/2021) and since the Applicant is also alleged to have assaulted complainant by fist and blows and he was not armed with any weapon, he deserves release on bail.

4] The observations made above are prima facie in nature and limited for the purpose of determination of the present Application and the learned Judge trying the Applicant for the offences, with which he is charged, shall not in any manner be influenced by the above order.

Hence, the following order :

ORDER

(a) Application is allowed.

(b) Applicant Rahul @ Lara Balvant Yadav shall be released on bail in connection with C.R.No.I-21/2021 registered at Shreenagar Police Station on furnishing P.R. bond to the extent of Rs.25,000/- with one or two sureties of the like amount.

The Applicant shall be released on cash bail of Rs.25,000/- for a period of four weeks from today and in the meantime he shall arrange for sureties.

(c) The applicant shall report to the concerned Police Station on first Monday of every trimester between 10.00 a.m. to 12.00 noon till framing of charge.

(d) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and should not tamper with evidence.

(e) The Applicant shall regularly attend trial, on every date, unless he is exempted.

[BHARATI DANGRE, J]