

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 1236 OF 2022

Ajay Jogadiya Bagel ...Applicant
V/s.
The State of Maharashtra ...Respondent

Ms. Mallika Sharma, Tohib Shaikh i/b Anjali Patil, for the Applicant.
Ms. Veera Shinde, APP, for the Respondent/State.
Mr. Sharad Shipane, PSI, Talegaon Dabhade police station, present.

CORAM : N.R. BORKAR, J.
DATE : 09.12.2022.

PC. :

This is an application under Section 439 of Code of Criminal Procedure for bail.

2. The applicant came to be arrested in Crime No. 297 of 2015 registered at Talegaon Dabhade Police Station, Pune for the offences punishable under Sections 395, 397, 307 of the Indian Penal Code and Section 3(25), 27 of the Arms Act and Section 3(1)(ii), 3(4) of the Maharashtra Control of Organized Crime (in short MCOC Act).

3. I have heard the learned counsel for the applicant and the learned APP for the respondent/State.

4. The learned counsel for the applicant has placed on record

a copy of order passed by this Court dated 06/12/2021 in Bail Application No. 2272 of 2021. He submits that, in the present crime the role attributed to the present applicant and the applicant in Bail Application No. 2272 of 2021 to whom this Court has released on bail is identical. The learned counsel for the applicant submits that the applicant thus needs to be released on bail on the ground of parity.

5. I have perused the confession of co-accused Kamlesh Rathore. From his confession role attributed to the present applicant and to the applicant in Bail Application No.2272 of 2021 appears to be identical. Considering the facts and circumstances of the case and as there are no other criminal antecedents, I am inclined to release the applicant on bail.

ORDER

A) The Application is allowed.

B) The applicant be released on bail in Crime No. 297 of 2015 registered at Talegaon Dabhade Police Station, Pune for the offences punishable under Sections 395, 397, 307 of the Indian Penal Code and Section 3(25), 27 of the Arms Act and Section 3(1)(ii), 3(4) of the MCOC Act, on furnishing P.R. Bond in the sum of Rs.50,000/- (Rupees Fifty Thousand) with one or two sureties in the like amount.

C) The applicant shall attend the concerned police station once in a month i.e. on the first Monday between 11.00 a.m. to 1.00 p.m. till the conclusion of trial.

[N.R.BORKAR, J.]