

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 2662 OF 2021

Vishal Hanuman Khade	..Applicant
Vs.	
The State of Maharashtra	..Respondent

Mr. Aniket Vagal, for the Applicant.
Mr. A. R. Kapadnis, APP for the Respondent / State.

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CORAM : C.V. BHADANG, J.
DATE : 11 MARCH 2022

P.C.

. This is an Application for bail. The Applicant is facing prosecution for the offence punishable under Section 302 and 120-B of IPC.

2. Heard the learned counsel for the parties.

3. The record discloses that the Application for bail filed by the Applicant was rejected by the learned Sessions Judge on 10 March 2021. Subsequent to this, the co-accused Sanu Mohan Raut @ Sonu Mastan has been granted bail by the learned Sessions Judge by

order dated 7 December 2021 in BA No.1646/2021. The learned counsel for the Applicant has sought parity with co-accused Sonu Mastan.

4. Upon hearing the learned counsel for the parties, I find that the ground of parity was not available to the Applicant when the Applicant was refused bail on 3 April 2021.

5. In such circumstances, the learned counsel for the Applicant states that the Applicant shall again approach the learned Sessions Judge on the ground of parity as well as on merits.

6. The Criminal Application is therefore disposed of, with liberty to the Applicant to approach the learned Sessions Judge, afresh for bail. If such an Application is filed, the learned Sessions Judge shall decide the same, on its own merits and in accordance with law, including on the ground of parity with the co-accused Sonu Mastan. Needless to mention that this Court has not examined the merits of the Application.

C.V. BHADANG, J.