

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO.917 OF 2022

Snehal @ Nehal s/o Gangadhar Sonkusare **Versus** State of Maharashtra, thr. PSO PS Lakadganj, Distt. Nagpur.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri M.V.Rai, counsel for the applicant.

Shri S.D.Sirpurkar, APP for the non-applicant/State.

CORAM : ANIL S. KILOR, J.
DATED : 22/08/2022.

1. The applicant is seeking bail in connection with Crime No. 565 of 2021, registered with Police Station Lakadganj, Nagpur Dist. Nagpur, for the offences punishable under Sections 392, 34 and 120-B of the Indian Penal Code, 1860 .

2. Shri Rai, learned counsel for the applicant firstly submits that further custody of the applicant is not necessary in this case because of completion of investigation. Secondly, he submits that out of eight accused persons, one accused person is absconding and six accused persons have been granted bail by the Sessions Court, as such the applicant is entitled for parity. Accordingly, he prays for grant of bail.

3. On the other hand, learned Additional Public Prosecutor strongly opposed the application and prays for rejection of the same.

4. I have perused the charge-sheet and the reply filed by the State.

5. In this case, the applicant is in jail from last about 11 months. Investigation is over and the charge-sheet has been filed.

6. Six co-accused persons have already been released on bail and if the role of the accused persons who have already released on bail and role of the applicant, is considered, prima facie, there is nothing to show that the role of the applicant is different than those co-accused persons. Thus, the applicant is entitled for party.

7. In this case money is recovered from the applicant and also from the other co-accused persons.

8. In the above referred backdrop, as the custody of the applicant is no further required and as the applicant is entitled for grant of bail on parity, I am of the opinion that with certain stringent conditions, he should be released on bail. Accordingly, I pass the following order:

- i. Criminal application is **allowed**;
- ii. It is directed that the applicant shall be released on bail in Crime No. 565 of 2021 registered with Police Station Lakadganj, Dist. Nagpur for the offences punishable under Sections 392 and 120-B read with Section 34 of the Indian Penal Code, on furnishing P.R. Bond of

Rs.25,000/- with a solvent surety in the like amount.

iii. The applicant shall not enter territorial jurisdiction of Nagpur City till culmination of trial, except for the trial

iv. The applicant shall furnish correct address to the concerned police station.

v. The applicant shall attend the concerned police station on 1st day and 16th day of every month between 10 am to 12 noon till the conclusion of the trial

vi. The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also not tamper with the evidence;

vii. State is at liberty to apply for cancellation of bail in case the applicant commits similar offence.

[ANIL S. KILOR, J.]