

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 45 OF 2023

1] Dinesh Vasudeo Jhala
2] Manoj @ Gangaram Rajaram Sisodia ... Applicants

Versus

The State of Maharashtra ... Respondent

.....

Ms. Anjali Patil for the Applicants.
Mr. Amit Palkar, APP for the State.

.....

CORAM : N.R. BORKAR, J.

DATED : 13 APRIL 2023

P.C. :-

1. This is an application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail.

2. The applicants came to be arrested in Crime No. 314 of 2021 registered at Vadgaon Nimbalkar Police Station, for the offences punishable under Sections 395, 397, 364(A), 368, 341, 342, 120(B), 323, 504, 506 of Indian Penal Code, Sections 4 r/w. 25 of the Arms Act and Sections 3(1)(ii), 3(4) of the Maharashtra Control of Organized Crimes Act, 1999.

3. I have heard the learned Counsel for the applicants and the learned APP for the State.

4. The bail is sought on the ground of parity. In support of the said ground, the learned Counsel for the applicants has placed on record copy of the order passed by this Court dated 21 October 2022 in Criminal Bail Application No.1168 of 2022. By the said order, this Court has released the co-accused Sushil Rajendra Jhala, on bail.

5. According to the prosecution, on the date of incident, which took place on 24 June 2020, the present applicants and other co-accused accosted the truck which was laden with cigarettes worth Rs.4,61,88,820/-, assaulted the complainant who was driver on the said truck and took away the said truck. During the course of investigation, the alleged crime was found to be committed by the organized crime syndicate formed by co-accused Kalyansing Chauhan of which the present applicants and other co-accused are members.

6. I have perused the order passed by this Court dated 21 October 2022 in Criminal Bail Application No.1168 of 2022, by which this Court has released the co-accused Sushil Rajendra Jhala on bail. According to the prosecution, he is also member of organized crime syndicate formed by co-accused Kalyansing Chauhan and was part of alleged decoity. The applicants are therefore entitled to bail on the ground of parity. Hence, the following order is passed :

(i) Application is allowed.

(ii) The applicant No.1] Dinesh Vasudeo Jhala and applicant No.2] Manoj @ Gangaram Rajaram Sisodia be released on bail in Crime

No. 314 of 2020 registered at Vadgaon Nimbalkar Police Station, for the offences punishable under Sections 395, 397, 364(A), 368, 341, 342, 120(B), 323, 504, 506 of Indian Penal Code, Sections 4 r/w. 25 of the Arms Act and Sections 3(1)(ii), 3(4) of the Maharashtra Control of Organized Crimes Act, 1999, on furnishing P.R. Bond in the sum of Rs.25,000/- each with one or two local sureties in the like amount.

(iii) The applicants shall attend the police station once in a month i.e., on first Saturday between 11.00 a.m. to 2.00 p.m. till conclusion of trial.

(iv) The applicants shall provide their residential address and mobile number, if any, to the concerned police station.

(N.R. BORKAR, J.)

KANCHAN
PRASHANT
DHURI

Digitally signed
by KANCHAN
PRASHANT
DHURI
Date: 2023.05.12
14:18:55 +0530