

Anand

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 359 OF 2023
IN
CRIMINAL APPEAL NO. 74 OF 2023**

Vikas Vitthal Mhase .Applicant

Vs.

The State of Maharashtra .Respondent

**WITH
INTERIM APPLICATION NO. 599 OF 2023
IN
INTERIM APPLICATION NO. 359 OF 2023**

Atul Ganpat Mandhare .Applicant

Vs.

The State of Maharashtra .Respondent

Mr. Sharad A. Ghadge i/b. Mr. Deepak L. Jaiswal, Advocate, for
the Applicant

Ms S. D. Shinde, APP, for the Respondent – State

**CORAM : SUNIL B. SHUKRE AND
ABHAY S. WAGHWASE, JJ.**

DATE : 08 MARCH 2023

P. C.

. Heard learned counsel for the Applicant and the
learned APP for the Respondent – State.

2. The Applicant – Vikas Mhase, as rightly submitted by
learned counsel for the Applicant, is similarly situated as that of

co-accused - Sanket Mhaske and anr., who have already been released on bail by this Court (Coram : A. S. Gadkari and Prakash D. Naik, JJ.) by order dated 15.02.2023.

3. The role attributed to the Applicant is stated to be identical to that of co-accused - Sanket Mhaske and anr., who have been enlarged on bail by this Court. Therefore, in our view, this Applicant can also be granted similar benefit as that of co-accused during pendency of the trial.

4. In view of the above, the Application is allowed and the Applicant's substantive sentence is suspended and he is enlarged on bail, pending the hearing and final disposal of his Appeal, on the following terms and conditions :-

ORDER

(i) The Applicant - Vikas Mhase in S. C. No. 1 of 2021 be enlarged on bail on his furnishing P. R. Bond in the sum of Rs. 35,000/- with one or two sureties in the like amount;

(ii) The Applicant shall attend the P. S, District - Raigad on every 1st Monday starting from 13.03.2023 till 24.04.2023 between 10.00 a.m. and 12.00 noon; and thereafter, the Applicant shall attend the Poladpur Police Station, District - Raigad on every Sunday between 4.00 p. m. and 5.00 p. m. till conclusion of the trial;

(iii) In case the Applicant commits a single default in attending the concerned police station, as directed above, this order shall automatically stand cancelled without further reference to the Court;

(iv) The Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

5. The Application is disposed of.

6. In view of disposal of the Application, the Interim Application, being I. A. No. 599 of 2023 does not survive and same stands disposed of accordingly.

(ABHAY S. WAGHWASE, J.)

(SUNIL B. SHUKRE, J.)