

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 404 OF 2023

Prashant Baburao Badade ... Applicant

Versus

The State of Maharashtra ... Respondent

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Ms. Sana Khan alongwith Ms. Radhika Mundada for the Applicant.
Mr. P.H. Gaikwad Patil, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 8 MARCH 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 applicant came to be arrested in Crime No. 371 of 2020 registered at Rajgad Police Station, Pune for the offences punishable under Sections 302, 307, 143, 147, 148, 149, 323, 324, 120-B of Indian Penal Code and Section 4 r/w. 25 of the Indian Arms Act.

3. I have heard the learned Counsel for the applicant 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 applicant has placed on record a copy of the order dated 12 July 2022 passed by the Hon'ble Supreme Court in Criminal Appeal No. 932 of 2022. By the said order, the Hon'ble Supreme Court has released co-accused Mahesh Lekawale on bail.

5. I have perused the charge-sheet. According to the prosecution, on the date of incident, which took place on 6 July 2020, the present applicant and other co-accused assaulted the deceased by koyta etc. and committed his murder on account of previous enmity.

6. The role attributed to co-accused – Mahesh Lekawale and the present applicant appears to be identical. In that view of the matter, I am inclined to release the applicant on bail. Hence, the following order is passed :

- (i) Application is allowed.
- (ii) The applicant - Prashant Baburao Badade be released on bail in Crime No. 371 of 2020 registered at Rajgad Police Station, Pune for the offences punishable under Sections 302, 307, 143, 147, 148, 149, 323, 324, 120-B of Indian Penal Code and Section 4 r/w. 25 of the Indian Arms Act, on furnishing P.R. Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.
- (iii) The applicant shall attend the concerned 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.

(N.R. BORKAR, J.)