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

BAIL APPLICATION NO.759 of 2023

AMOL SUNIL BANSODE ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Adv. Poonam Bhosale for the applicant.
Mr. N. B. Patil, APP for the State.
Sr.PI Sadashiv Nikam, Vartak Nagar Police Station.

CORAM : M. S. KARNIK, J.

DATE : OCTOBER 4, 2023

P.C. :

1. Heard learned counsel for the applicant and learned APP for the State.

2. On 01.09.2023 this Court had passed the following order in case of co-accused No.5-Utkarsh Vinayak Bansode in Bail Application No.1685 of 2023. The order reads thus :-

"2. This is an application for bail in respect of the offence punishable under sections 302, 143, 144, 147, 148, 149 of the Indian Penal Code, 1860 (hereafter 'IPC' for short) and under section 37(1), 135 of the Maharashtra Police Act, 1951 registered vide C.R. No.0117 of 2022 with Vartaknagar Police Station, Thane. The FIR is dated 16/03/2022. The applicant was arrested on 16/03/2022.

3. The date of the incident is 16/03/2022. There are in all 5 accused. It is the allegation that the accused assaulted Sumit with knife (gupti) and sticks. The

applicant is not named in the FIR. After recording the supplementary statement, the name of the applicant has been named as one of the accused. The materials reveal that the stab injuries are inflicted by the co-accused and not by the applicant. The applicant is in custody for more than 1 year and 5 months. In the facts and circumstances of the present case, the applicant can be enlarged on bail. There are no criminal antecedents reported against the application. The applicant does not appear to be a flight risk."

3. The role of the applicant who is the accused No.4 is on par with that of co-accused - Utkarsh Vinayak Bansode. The applicant therefore can be enlarged on bail on the ground of parity. However, in the present case in view of the submissions made by learned APP I am inclined to impose further condition. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant-Amol Sunil Bansode in connection with C.R. No.I-117 of 2022 registered with Vartak Nagar Police Station shall be released on bail on his furnishing P.R. Bond of Rs.25,000/- with one or more sureties in the like amount.
- (c) The applicant shall attend the investigating officer of the Vartak Nagar Police Station once in a

month every first Monday of the month between 11.00 a.m. and 1.00 p.m.

(d) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.

(e) On being released on bail, the applicant shall furnish his contact number and residential address to the investigating officer and shall keep him updated, in case there is any change.

(f) If any of the conditions are violated, the same shall be viewed seriously.

(g) The applicant shall not reside in Thane district till further orders of the trial Court.

4. The application is disposed of.

(M. S. KARNIK, J.)