

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

CRIMINAL BAIL APPLICATION NO. 1029 OF 2022

Yash @ Raghu Atul Kadam	...Applicant
Versus	
The State Of Maharashtra	...Respondent

Mrs.Shubhangi Parulekar Advocate for the Applicant.
Mr. A. A. Palkar, APP for Respondent-State.

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CORAM : SHIVKUMAR DIGE, J.

DATE : 10th OCTOBER, 2023

P.C.:

1. By this application, the applicant is seeking bail in Crime No. 446 of 2020 registered with Nigdi Police Station, Pimpri-Chinchwad for the offences punishable under Sections 307, 324, 143, 147, 148 and 149 of the Indian Penal Code, 1860 (for short “IPC”) and under Sections 3, 25, 27 of Arms Act and under Sections 3 and 7 of Criminal Amendment Act, and under Sections 37(1), 135 of the Maharashtra Police Act, and under Sections 3(1),(i),(ii), 3(4) of Maharashtra Control of Organized Crime Act, 1999 (for short “MCOCA Act”).
2. Learned Counsel for the applicant submits that this Court has released co-accused Vishal Vikram Solase on bail by order dated 26th September 2023. Role attributed to the co-accused Vishal Solase is

similar to the present applicant. There is no recovery at the instance of the applicant. Applicant is behind bar for more than three years. Hence, applicant is entitled for bail on principle of parity.

3. Learned APP, on instructions, fairly submitted that the applicant is entitled for bail on parity.

4. I have heard both the learned Counsels, perused the FIR and charge-sheet.

5. The role attributed to the co-accused Vishal Solase and present applicant is similar. There is no recovery at the instance of the applicant. Applicant is behind bar for more than three years. Investigation is completed and charge-sheet has been filed. There is no criminal antecedents of the applicant. Hence, applicant is entitled to be released on bail on the ground of parity.

6. Considering the above facts, further detention of the applicant is not required.

7. In view of above, I pass following order:-

ORDER

- (i) Applicant be enlarged on bail in Crime No. 446 of 2020 registered with Nigdi Police Station, Pimpri Chinchwad on executing PR Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.

(ii) 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 framing of charge.

(iii) Applicant shall inform his latest place of residence and mobile number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Investigating Officer.

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

(v) The trial Court shall decide the said case on its own merits, in accordance with law uninfluenced by the observations made in this order.

8. The application is allowed in the aforesaid terms and is accordingly disposed off.

9. All concerned to act on the authenticated copy of this order.

[SHIVKUMAR DIGE, J.]