

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
BAIL APPLICATION NO. 1085 OF 2022**

Hrishikesh Nabaji Gangarde ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr. P.G. Sarda for the Applicant.  
Ms. Rutuja Ambekar, APP for the State.

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**CORAM : N.R. BORKAR, J.**  
**DATED : 23 JANUARY 2023**

**P.C. :-**

This is an application under Section 439 of Code of Criminal Procedure for bail.

2. The applicant came to be arrested in Crime No. 239 of 2020 registered at Alandi Devachi police station for the offences punishable under Section 302 read with 34 of the Indian Penal Code.

3. I have heard the learned counsel for the applicant and the learned APP for the respondent-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 copy of the order passed by the Sessions Court dated 11 May 2022 below Exhibit-15 in Sessions Case No. 6 of 2021. By the said order Sessions Court granted bail to the co-accused- Dipak Yadav.

5. I have perused the charge-sheet and more particularly the statement of witness Dadasaheb Kaluram Wahile. The role attributed to the co-accused Dipak Yadav and the present applicant appears to be identical. In view thereof, I am inclined to release the applicant on bail on the ground of parity. Hence, the following order is passed:

- (i) Application is allowed.
- (ii) The applicant shall be released on bail in in Crime No. 239 of 2020 registered at Alandi Devachi police station for the offences punishable under Section 302 read with 34 of the Indian Penal Code on furnishing PR 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 the trial.

( N.R. BORKAR, J. )