

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 1130 OF 2022

Ramdas N. Kuchekar
V/s.

...Applicant

State of Maharashtra

...Respondent.

Mr. S.H. Nimbalkar, Mr. Abhishek U. Arote and Mr. Ashish Kachole
for the Applicant.

Mrs. Veera Shinde, APP for the Respondent/State

CORAM : N.R. BORKAR, J.
DATE : 15.02.2023.

P.C. :

1. This is an application under Section 439 of Code of Criminal Procedure for bail.
2. The applicant came to be arrested in Crime No. 66 of 2019 registered at Indapur Police Station, Pune 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.
5. The bail is sought on the ground of parity. In support of said submission, the learned counsel for the applicant has placed on record the copy of order passed by this Court dated 26 July 2021 in Bail Application No. 3522 of 2019. By the said order, this Court has released the co-accused Navnath Kamble on bail.

6. According to the prosecution, on the date of incident, which took place on 22 January 2019, dispute arose between the present applicant and co-accused Navnath Kamble, to whom this Court has granted bail, on one side and the deceased on the other side on account of some financial transaction. It is alleged that during the said dispute the present applicant and co-accused Navanth Kamble assaulted the deceased by stone and committed his murder.

7. It is apparent that the role attributed to the present applicant and the co-accused Navnath Kamble is identical. Even other wise the case is based on circumstantial evidence. I am therefore, inclined to release the applicant on bail. In the result, the following order is passed.

ORDER

A] Bail Application is allowed.

B] The applicant be released on bail in C.R. No. 66 of 2019 registered at Indapur Police Station, Pune for the offences punishable under Section 302 read with 34 of the Indian Penal Code on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

C] The applicant shall attend the concerned police station once in a three months, i.e., on first Saturday between 11.00 a.m. to 1.00 p.m. till conclusion of the trial.

[N.R.BORKAR, J.]