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

BAIL APPLICATION NO.1295/2022

ROHIT DINESH SALEKAR

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Silvín Kale a/w. Adv. Rohan Raut, Adv. Bhujang More for
the applicant.

Mr. S. V. Gavand, APP for State.

PSI A. R. Sawant, Wagale Estate Police Station.

HC S. B. Jagdale.

CORAM : M. S. KARNIK, J.

DATE : FEBRUARY 28, 2023.

P.C. :

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

2. This is an application for bail on the ground of parity in
respect of First Information Report (FIR) No.I-206/2017
registered with the Wagale Estate Police Station, under
Sections 302, 307, 143, 147, 148, 149 of the Indian Penal
Code, 1860 (hereafter "the IPC", for short) read with Section
25 (1) of the Indian Arms Act read with Sections 37(1), 135
of the Maharashtra Police Act.

3. The co-accused Suraj Kundan Mehta has been released

on bail by this Court by an order dated October 11, 2019 in Criminal Bail Application No.2495/2019. The applicant is in custody for more than five and half years. The charge has not been framed and the trial will take a long time to conclude. There is no overt act attributed to the present applicant. Some of the witnesses have identified the applicant as the one who was present at the spot. The co-accused Suraj Kundan Mehra and two other accused who are alleged to have similar roles as that of the applicant and to whom also no overt act has been attributed, have been released on bail.

4. Considering that the applicant is in custody for more than five and half years and there are no criminal antecedents reported against the applicant, the applicant can be enlarged on bail. Hence the following order.

ORDER

(a) The application is allowed;

(b) The applicant in connection with FIR No.I-206/2017 registered with the Wagale Estate Police Station, shall be released on bail on his furnishing P.R. Bond of Rs.15,000/- with one or more sureties in the like amount;

(c) The applicant shall attend the concerned Police Station, on the first Saturday of every month, between 10:00 a.m. and 11:00 a.m., for a period of 24 months from the date of his release;

(d) The applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the trial Court as well as to the concerned Police Station, in writing;

(e) The applicant shall not tamper with the evidence or attempt to influence/contact the complainant, witnesses or any person concerned with the case;

(f) The applicant shall co-operate in the conduct of the trial and shall attend the trial Court on every date of hearing, unless exempted by the trial Court;

(g) An undertaking to the aforesaid clauses (c) to (f), shall be filed by the applicant, in the Registry of the trial Court, within two weeks of his release;

(h) If there are 2 consecutive defaults either in attending the Police Station or in appearing

before the trial Court or breach of any of the conditions as stated above, the prosecution will be at liberty to apply for cancellation of applicant's bail.

5. The application is disposed of.

(M. S. KARNIK, J.)