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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 1827 OF 2021

Indrakumar D. Bhise

...Applicant

V/s.

The State of Maharashtra

...Respondent.

Mr. Satyam H. Nimbalkar a/w. Mr. Ashish R. Kachole, Mr. Abhishek Arote and Mr. Omkar Chitale for the Applicant.

Mr. A.A. Palkar, APP for the Respondent/State

CORAM : N.R. BORKAR, J.
DATE : 03.05.2023.

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.378 of 2019 registered at Baramati City Police Station for the offences punishable under Sections 384, 385, 386, 120-B, 506 read with 34 of the Indian Penal Code and Section 3(1)(i)(ii) and 3(4) of the Maharashtra Control of Organised Crime Act, 1999.
3. The bail is sought on the ground of parity. In support of said ground, the learned counsel for the applicant has relied upon the order passed by this Court dated 14 October 2022 in Criminal Bail Application No. 684 of 2020. By the said order, this Court has released the co-accused Tatyasaheb Karande on bail.

4. The allegations against the present applicant, who according to the prosecution is a member of organized crime syndicate formed by co-accused Sachin Padalkar, are of extortion.

5. The learned counsel for the applicant submits that the applicant is a Doctor. It is submitted that the applicant has nothing to do with the alleged organized crime syndicate formed by co-accused Sachin Padalkar. It is submitted that applicant is in jail for more than four years and the trial has not yet commenced.

6. On the other hand, the learned APP for the respondent/State, submits that the applicant is involved in five more criminal cases. However, the said offences appear to be in relation to some protest and medical negligence. This Court has already released the co-accused Tatyasaheb Karande on bail against whom the allegations are identical. Considering the overall facts and circumstances of the case and on the ground of parity, I am inclined to release the applicant on bail. In the result, the following order is passed.

ORDER

A] The Application is allowed.

B] The applicant be released on bail in C.R. No. 378 of 2019 registered at Baramati City Police Station for the offences punishable under Sections 384, 385, 386, 120-B, 506 read with 34 of the Indian Penal Code and Section 3(1) (i)(ii) and 3(4) of the Maharashtra Control of Organised

Crime Act, 1999 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 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.]