

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1380 OF 2022

Shubham Balasaheb Shinde ... Applicant

Versus

State of Maharashtra ... Respondent

WITH

CRIMINAL BAIL APPLICATION NO. 1684 OF 2022

Vaibhav Ravindra Gore ... Applicant

Versus

State of Maharashtra ... Respondent

.....

Mr. Nitin Gaware Patil for the Applicant in BA-1380-2022.

Mr. Rupesh Zade alongwith Ms. Priyanka Gupta and Mr. Prashant Bhapkar for the Applicant in BA-1684-2022.

Ms. Veera Shinde, APP for the State.

HC U.G. Bhagat, Alephata Police Station, present.

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CORAM : N.R. BORKAR, J.

DATED : 9 JANUARY 2023

P.C. :-

. Both these applications are filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail.

2. The applicants came to be arrested in Crime No. 394 of 2021 registered at Aalephata Police Station, for the offences punishable under

Sections 395 of Indian Penal Code and Sections 3 and 25 of the Indian Arms Act, 1959.

3. I have heard the learned Counsel for the applicants and the learned APP for the State.

4. The bail is sought on the ground of parity. In support of the said ground, the learned Counsel for the applicants has placed on record the order passed by this Court dated 28 November 2022 in Criminal Bail Application No.1594 of 2022. By the said order, this Court has released the co-accused Prakash Waghmare on bail.

5. I have perused the charge-sheet. According to the prosecution, on 6 December 2021 the present applicants and other co-accused had entered into the shop of the complainant and robbed him of cash amount of Rs.16,000/- and took away mobile phone worth Rs.5000/-.

6. According to the prosecution, co-accused Prakash Waghmare to whom this court has granted bail was one of the robbers. The role attributed to the present applicants and the said co-accused thus appears to be identical. I am therefore inclined to release the applicant on bail. Hence, the following order is passed :

(i) Applications are allowed.

(ii) The applicants - Shubham Balasaheb Shinde and Vaibhav Ravindra Gore be released on bail in Crime No. 394 of 2021 registered at Aalephata Police Station, for the offences punishable under Sections 395

of Indian Penal Code and Sections 3 and 25 of the Indian Arms Act, 1959 on furnishing P.R. Bond in the sum of Rs.25,000/- each with one or two sureties in the like amount.

(iii) The applicants 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 trial.

(N.R. BORKAR, J.)

KANCHAN
PRASHANT
DHURI

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