

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1834 OF 2022

Ajay @ Balu Baban Jadhav ... Applicant

Versus

The State of Maharashtra ... Respondent

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Mr. Hrishikesh Karwande alongwith Ms. Prajakta Pawar instructed by Mr. Milind Pawar for the Applicant.

Ms. Rutuja Ambekar, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 20 FEBRUARY 2023

P.C. :-

. This is an application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail.

2. The applicant came to be arrested in Crime No. 368 of 2020 registered at Vadgaon Maval Police Station, Pune for the offences punishable under Sections 302, 143, 147, 149, 188, 120-B, 109 of Indian Penal Code and Section 135 of the Maharashtra Police Act.

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

4. The bail is sought on the ground of parity. The learned Counsel for the applicant in support of the said ground has placed on record a copy of the order passed by the Sessions Court dated 21 January 2022 in Criminal Bail Application No. 7828 of 2021. By said order, the Sessions Court has released the co-accused Rutik Balu Asawale on bail.

5. I have gone through the charge-sheet. According to the prosecution, on the date of incident, which took place on 22 May 2020, the present applicant and other co-accused assaulted the deceased by koyta etc. and committed his murder due to political rivalry.

6. The motive for alleged crime is attributed to co-accused Rutik Asawale to whom the Sessions Court has released on bail. Considering the overall facts and circumstances and as there are no other criminal antecedents, I am inclined to release the applicant on bail. Hence, the following order is passed :

(i) Application is allowed.

(ii) The applicant - Ajay @ Balu Baban Jadhav be released on bail in Crime No. 368 of 2020 registered at Vadgaon Maval Police Station, Pune for the offences punishable under Sections 302, 143, 147, 149, 188, 120-B, 109 of Indian Penal Code and Section 135 of the Maharashtra Police Act, on furnishing P.R. Bond in the sum of Rs.50,000/- with one or two sureties in the like amount.

(N.R. BORKAR, J.)