

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 2741 OF 2022

VAISHALI
ANIL
TIKAM

Dilshad Israr Siddique @ Shaikh

.... Applicant

Versus

The State of Maharashtra

.... Respondent

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by VAISHALI
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Mr. Khalid Israr, Advocate for the Applicant.

Ms. P.N. Dabholkar, APP for Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 17th OCTOBER, 2023.

P.C. :

1. By this application, applicant is seeking bail in Crime No. 60 of 2021 registered with Vile Parle Police Station for offences punishable under Sections 395, 170, 120(B) r/w. Section 34 of Indian Penal Code, 1860.

2. It is the contention of learned counsel for applicant that the co-accused have been released on bail. Hence, applicant is entitled for bail on principles of parity. It is requested to allow the application.

3. Learned APP, on instructions, fairly submitted that the role attributed to the Applicant and co-accused is on similar footing.

4. I have heard both learned counsel, perused the FIR and

charge-sheet.

It is alleged that on 17th February, 2021, at evening the complainant was robbed by two unknown persons and forcibly took Rs.12 crore from him. After the arrest, the police have recovered 5 lakhs from the Applicant. The co-accused have been released on bail. The police had recovered amount of Rs. 50,000/- and Rs.1.66 crore from them. The role attributed to the applicant in comparison of other co-accused, who have been released on bail, is on lesser side. Applicant is behind bar for more than two years. Investigation is completed and charge-sheet has been filed.

6. Considering the above facts, applicant's further detention is not required, hence I pass following order :

ORDER

- (i) Applicant be enlarged on bail Crime No. 60 of 2021 registered with Vile Parle Police Station on executing P.R.Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.
- (ii) Applicant shall attend the concerned police station once in a month i.e. on first Monday between 11.00 a.m. to 3.00 p.m. till framing of charge.

(iii) Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

(iv) The Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the observations made in this order.

7. The application is allowed in the aforesaid terms and is accordingly disposed off.

8. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)