

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 3497 OF 2022**

Vidya M. Magar

...Applicant

Versus

The State of Maharashtra

...Respondent

.....

Mr. Satyavrat Joshi a/w Mr. Nitesh Mohite for the Applicant.
Ms. Rutuja Ambekar, APP for the State.

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CORAM : N.R. BORKAR, J.
DATED : 21 MARCH 2023

P.C. :-

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

2. The applicant came to be arrested in Crime No. 756 of 2021 registered at Chakan Police Station, Pimpri-Chinchwad for the offences punishable under Sections 395, 427, 506(2), 120-B of the Indian Penal Code.

3. The bail is sought on ground of parity. In support of the said ground, the learned counsel for the applicant has placed on record the copy of the order dated 10 March 2022, passed by the Additional Sessions Judge, Khed-Rajgurunagar, Pune, below Exhibit- 49 in Sessions Case No. 171 of 2021. By the said order, the Sessions Court has released the co-accused Rahul Kshirsagar on bail.

4. The allegations against the present applicant and other co-accused are of committing decoity.

5. The role attributed to the co-accused Rahul Kshirsagar and present applicant appears to be identical. There appears to be no recovery at the instance of the present applicant, whereas there appears to be recovery at the instance of co-accused Rahul Kshrisagar. Considering the facts and circumstances, I am inclined to release the applicant on bail on the ground of parity. Hence, the following order is passed:

- (i) Application is allowed.
- (ii) The applicant shall be released on bail in Crime No. 756 of 2021 registered at Chakan Police Station, Pimpri-Chinchwad for the offences punishable under Sections 395, 427, 506(2), 120-B of the Indian Penal Code on furnishing PR bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.
- (iii) 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.)