

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 3697 OF 2022**

Abhishek Prakash Ghanghav ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr. Shailesh Kharat for the Applicant.

Ms. Veera Shinde, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 23 FEBRUARY 2023

P.C. :-

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

2. The applicant came to be arrested in Crime No. 506 of 2020 registered at Pimpri Police Station for the offences punishable under Sections 302, 142, 143, 144, 147, 148, 149, 427, 323 of the Indian Penal Code, Section 4 r/w 25 of the Arms act and Section 37(1) r/w 135 of the Maharashtra Police Act.

3. I have heard the learned counsel for the applicant and the learned APP for the respondent-State.

4. The bail is, inter alia, sought on the ground of parity. The learned counsel for the applicant in support of the said ground has placed on record the copy of the order passed by the Additional Sessions Judge, Pune dated 10 May 2022 below Exhibit No. 62 in Session Case No. 27/2021.

By the said order the trial Court has released the co-accused- Ajay Bhise on bail.

5. According to the prosecution, on the of incident, which took place on 22 August 2020 at about 12.15 a.m., the present applicant and other co-accused assaulted the deceased by koyta and stone and committed his murder on account of previous dispute.

6. The cause of death is head injury. I have perused the statement of eye-witnesses. The alleged head injury is attributed to the co-accused Ajay Bhise, to whom the Sessions Court has granted bail. Considering the overall facts and circumstances, I am inclined to release the applicant on bail. Hence, the following order is passed:

- (i) Application is allowed.
- (ii) The applicant- Abhishek Prakash Ghanghav shall be released on bail in Crime No. 506 of 2020 registered at Pimpri Police Station for the offences punishable under Sections 302, 142, 143, 144, 147, 148, 149, 427, 323 of the Indian Penal Code, Section 4 r/w 25 of the Arms act and Section 37(1) r/w 135 of the Maharashtra Police Act 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.)