

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 3807 OF 2022

Rajesh @ Santoshsing Kamlesh Singh ... Applicant

V/s.

State of Maharashtra ... Respondent

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Mr. Mahesh Manik Funde, Advocate for Applicant.
Ms. P. N. Dabholkar, APP for Respondent-State.
PSI – B. D. Pawar, Kalyan Taluka Police Station present.
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CORAM : SHIVKUMAR DIGE, J.

DATE : 7 OCTOBER, 2023

P C:-

1. By this Application, Applicant is seeking bail in C.R.No. 570 of 2021 registered with Kalyan Taluka Police Station for the offence punishable under Sections 307, 326, 147, 148, 149, 427 of Indian Penal Code, 1860 (for short “IPC”) and Section 4 and 25 of Indian Arms Act.
2. It is prosecution’s case that, Applicant and other co-accused assaulted first informant with sickle and fist and blows.
3. It is contention of learned Counsel of Applicant that accused No.1 Tushar @ Abhit Santosh Dubey is released on bail by this Court

(Coram : M.S.Karnik, J.) by order dated 29.09.2023. The role attributed to present Applicant is on lessor footing compared to accused No.1. Hence, Applicant is entitled for bail on the principle of parity.

4. Learned APP fairly submitted that, Applicant is entitled for parity.

5. I have heard both learned Counsel. Perused the FIR and charge-sheet. The role attributed to the Applicant is on lessor side than the role attributed to accused No.1 Tushar Dubey, who is released on bail. Hence, Applicant is entitled for bail on the principle of parity.

ORDER

- (i) Applicant be enlarged on bail in C.R.No. 570 of 2021 registered with Kalyan Taluka Police Station, District Thane, on executing PR.Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.
- (ii) Applicant shall attend the investigating officer of the Kalyan Taluka 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 inform his latest place of residence

and mobile number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Investigating Officer.

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

6. The Application is allowed in the aforesaid terms and is accordingly disposed off.

7. It is made clear that the above observations are made only for the purpose of granting bail and the Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the observations made in this order.

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

(SHIVKUMAR DIGE, J.)

SONALI
SATISH
KILAJE

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by SONALI
SATISH KILAJE
Date:
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