



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO. 3958 OF 2023

SANTOSHKUMAR FENKOO YADAV ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Adv. Hiren P. Mehta for the Applicant.

Ms. Rutuja Ambekar, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 14, 2023

P.C. :

- 1.** Heard learned counsel for the applicant and learned APP for the State.
- 2.** This is an application for bail in respect of the offence punishable under Sections 302, 323, 324, 201, 108, 109, 114, 141, 143, 144, 146, 147, 148, 149, 504, 506(2) and 34 of the Indian Penal Code registered on 05/10/2021 vide C.R. No.1299 of 2021 with Malvani Police Station, Mumbai.
- 3.** The present applicant is accused No.2 as per the charge sheet. The applicant is seeking parity with the co-accused - Dharamjit Kumar Kailash Ray alias Dehati who

has been enlarged on bail by this Court by order dated 13/10/2023 in Bail Application No. 1885 of 2022. The order is annexed at page No. 97 of the paperbook.

4. Learned APP opposed the application.

5. On perusal of the said order and materials on record, it is seen that the applicant's role is much lesser than the co-accused- Dharamjit Kumar Kailash Ray alias Dehati with whom the applicant is seeking parity. In this view of the matter, the present applicant can be enlarged on bail.

Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant- Santoshkumar Fenkoo Yadav in connection with C.R. No. 1299 of 2021 registered with Malvani Police Station shall be released on bail on his furnishing P.R. Bond of Rs.25,000/- with one or more local sureties in the like amount.

(c) The applicant shall attend the Investigating Officer of Malvani police station once in a month, first Monday of every month, between 11.00 a.m. and 1.00 p.m.

(d) The applicant shall not directly or indirectly make

any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.

(e) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

(f) Except the purpose of reporting to the Investigating Officer, the applicant shall not enter into the jurisdiction of Malvani Police Station after being released on bail, till the trial concludes.

(g) The applicant shall attend the trial regularly. The applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.

(h) The applicant shall not leave the state of Maharashtra without permission of the trial Court.

6. The application is disposed of.

(M. S. KARNIK, J.)