

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 1643 OF 2022

Chandani Raju @ Raja Kale ... Applicant
Versus
The State of Maharashtra ... Respondent

.....
Mr. Sachin M. Bhavar, for the Applicant.

Ms. Anamika Malhotra, APP, for the Respondent-State.

Mr. A. D. Atar, HC-672, Temburni Police Station, present.

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CORAM : PRITHVIRAJ K. CHAVAN, J.

DATED : 22nd MARCH, 2024.

P.C.

Heard learned Counsel for the applicant and learned APP.

2 Learned Counsel for the applicant submits that applicant be released on the ground of parity in respect of co-accused Shital @ Chivali Kuber @ Kubrya Kale and Malhari Balasaheb Palve, who have already been granted bail by this Court on 18th November, 2021 and 31st January, 2022.

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3 It is submitted that son of the applicant, aged about 18 years died on 25th February, 2024. Due to poverty of the applicant, she could not attend the funeral of her son. Applicant has been incarcerated for a period of four years. It appears that the charge has not yet been framed and there is no likelihood of commencing the trial in near future. He submits that record does not reveal any overt act ascribed to the applicant and, therefore, even on the ground ground of parity she be released on bail apart from the reasons stated herein above.

4 Learned APP though objects the application by contending that the applicant was involved, along with her husband, in committing offences under Sections 396, 397, 201, 327, 400 r/w 34 of Indian Penal Code, Section 66B of Information Technology Act and Sections 3(1)(i)(ii), 3(2) and 3(4) of Maharashtra Control of Organized Crime Act, yet that would not be sufficient to detain her without any convincing material on record, especially *sans* any overt act as well as on the ground of parity.

5 As such, the application needs to be allowed. Hence, the order.

: ORDER:

- (i) Application is allowed.
- (ii) The applicant - Chandani Raju @ Raja Kale be released on bail in connection with C. R. No. 656 of 2019 registered with Tembhurni Police Station, upon executing a P. R. bond in the sum of Rs.25,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.
- (iii) The applicant shall not tamper with the prosecution evidence.
- (iv) The applicant shall regularly attend the trial Court unless exempted.

6 Application is disposed of.

[PRITHVIRAJ K. CHAVAN, J.]