

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.644 OF 2024

Shubham Sachin Machare

Applicant

versus

The State of Maharashtra

Respondent

Mr.Atul R.Patil for Applicant.

Ms.Poonam Bhosale, APP, for State.

CORAM : ANIL S.KILOR, J.

DATE : 6th September 2024

PC :

1. Heard.

2. By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking bail in Crime No.332 of 2023 registered with Jejuri Police Station, Pune Rural, for the offences punishable under Sections 302, 120-B, 201, 34 of the Indian Penal Code r/w Section 4(25) of Arms Act r/w Section 135 of Maharashtra Police Act.

3. In the present matter the co-accused nos.6, 8 and 10 were released on bail by Sessions Court and the application of the Applicant was rejected on the ground that a car which was used in the alleged offence was recovered from the Applicant. From the CCTV footage and statements of eye witnesses it is evident that there is no mention about the presence of the Applicant or role attributed to the Applicant.

4. Thus, considering the role attributed to the Applicant and the role of the co-accused who have been released on bail, I am of the

opinion that parity would apply to the Applicant. Accordingly, I pass following order :

ORDER

- (i) Bail Application is allowed and disposed off;
- (ii) It is directed that the applicant shall be released on bail in Crime No.332 of 2023 registered with Jejuri Police Station, Pune Rural, for the offences punishable under Sections 302, 120-B, 201, 34 of the Indian Penal Code r/w Section 4(25) of Arms Act r/w Section 135 of Maharashtra Police Act on furnishing P.R.Bond of Rupees Twenty Five Thousand with one solvent surety in the like amount;
- (iii) The Applicant shall attend Jejuri Police Station, Pune Rural, on every 1st and 16th of every month between 10.00 a.m and 11.00 a.m till conclusion of trial;
- (iv) The Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also not tamper with the evidence;
- (v) Liberty is granted to the State for cancellation of bail if the applicant commits similar offence;
- (vi) The applicant shall attend the trial before the Trial Court regularly on every date unless exempted by the trial Court for any reason.

(ANIL S.KILOR, J.)

MST