

recorded after one week of the incidence. Thus, it is evident that immediately after the incidence none of the witnesses have stated the name of Applicant and attributed any role to him. The accused persons against whom allegations were made in the FIR i.e. accused no.1, has been released on bail by this Court. One more co-accused Rohit Sirsat was also released on bail by this Court vide order dated 17th August 2021 in Criminal Bail Application No.2546 of 2021. This Court while granting bail to accused no.1 on 23rd April 2021 in Criminal Bail Application No.1387 of 2024 has also considered long period of incarceration and the fact that there is no progress in the trial. Thus, learned counsel for Applicant is praying for grant of bail on the above referred reasons and also on the ground of parity.

4. Learned APP, however, strongly opposed the application and stated that there are eye witnesses who have named the Applicant and attributed a specific role.

5. Applicant is in jail from last four and half years and still Muddemal is not produced. Thus, considering the pace with which the trial is proceeding, there is no end to the trial in sight. There are no antecedents against the Applicant. In the above referred backdrop, considering the fact that Applicant was initially named in the FIR but his name was stated after for about seven days, furthermore considering the fact that accused no.1 has been released on bail against whom specific allegations have been made in the FIR, I am of the opinion that on the ground of long period of incarceration as well as parity, the Applicant is entitled for grant of bail.

6. Learned APP at this stage submits that if Applicant is released on bail, he may pressurize the prosecution witnesses and in that case

there will be unfair trial. The said apprehension can be addressed to by applying stringent conditions. Learned counsel for Applicant on instructions makes a statement that Applicant is ready to abide by any condition including not to enter into territorial jurisdiction of Lasalgaon Police Station, Nashik Rural, till conclusion of trial. The statement is accepted.

7. Hence, 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.293 of 2020 registered with Lasalgaon Police Station, Nashik Rural, for the offences punishable under Sections 302, 307, 323, 504, 506, 143, 147, 148, 149, 188, 269, 270 of Indian Penal Code r/w Sections 4, 25 of Arms Act on furnishing P.R.Bond of Rupees Twenty Five Thousand with one solvent surety in the like amount;
- (iii) The Applicant shall not enter into territorial jurisdiction of Lasalgaon Police Station, Nashik Rural, till conclusion of trial, except for trial;
- (iv) The Applicant shall provide his address and name of nearby Police Station to the Investigating Officer and attend said Police Station on 1st and 16th day of every month between 10.00 a.m and 11.00 a.m till conclusion of trial;
- (v) 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;
- (vi) Liberty is granted to the State for cancellation of bail if the

applicant breaches any condition or misuses the liberty or commits similar offence;

(vii) 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