

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

CRIMINAL BAIL APPLICATION NO. 3626 OF 2024

Babu Pyarelal Kanojiya

...Applicant

Vs.

The State of Maharashtra

...Respondent

Mr. Aniket Vagal with Sanket Bhowad, Kunal N. Pednekar, Advocate
for Applicant.

Mr. S. S. Chaudhari, APP for State-Respondent.

Mr. R. R. Shirole, PC, Present.

CORAM:- ANIL S. KILOR, J.

DATED:- 19th 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. 274 of 2022 registered with Ambad Police Station Nashik, for the offence punishable under Section 302 read with Section 34 of the Indian Penal Code, 1860.

3) In the present matter, the applicant is in jail from 13th June, 2022 and in the meantime, this Court granted bail to the co-accused, Rohit Pawar, vide order dated 19th August, 2024 in Criminal Bail Application No. 1916 of 2024. The role of the applicant is similar with the role assigned to the co-accused- Rohit Pawar, who has been granted bail, and this fact has not been denied by the learned APP.

4) In the circumstances, considering the period of incarceration as well as the fact that the principles of parity would apply to the present application. Hence, I pass the 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. 274 of 2022 registered with Ambad Police Station Nashik, for the offence punishable under Section 302 read with Section 34 of the Indian Penal Code, 1860, on furnishing P.R.Bond of Rupees Twenty Five Thousand with one solvent surety in the like amount;
- (iii) 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 12.00 noon and 2.00 pm till conclusion of trial, except on the date 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 in case Applicant breaches any of the conditions and/or 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.)