

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****BAIL APPLICATION NO. 2267 OF 2024**

Swapnil Baban Sawant

... Applicant

Versus

State of Maharashtra

... Respondent

.....

Mr. Amit Icham a/w. Mr. Nilesh Waghmode and Mr. Chaitanya Purankar,
Advocates for the Applicant.

Smt. Sangeeta D. Shinde, APP for the State.

CORAM : SHIVKUMAR DIGE, J.**DATED : 10th FEBRUARY, 2025.****P.C. :**

1. By this application, applicant is seeking regular bail in C.R.No. 374 of 2022 registered with Khed Police Station, Pune for the offence punishable under Section 302, 307, 201, 364, 368 read with 34 of Indian Penal Code.

2. It is prosecution's case that on 24.05.2022 around 12:30 a.m., applicant and co-accused assaulted the deceased with bricks and stones and murdered him.

3. It is contention of learned counsel for the applicant that the co-accused against whom same allegations leveled has been released on bail by Hon'ble Apex Court hence applicant is seeking bail on the principle of parity.

4. It is contention of learned APP that applicant and co-accused have assaulted the deceased with stones and bricks and murdered him. The applicant has antecedents. If he is released on bail, he may threaten prosecution witnesses, hence requested to reject the application.

5. I have heard both the learned counsel. Perused charge-sheet produced on record and order passed by Hon'ble Apex Court in the case of ***Vilas Baburao Parsude Vs. State of Maharashtra***, the Hon'ble Apex Court has granted bail to Vilas Parsude who is co-accused in the present crime and the allegations are leveled against him are similar to the applicant. Considering the order passed by the Hon'ble Apex Court, the applicant is entitled for bail on the principle of parity and I pass following order :

ORDER

- i. The applicant be enlarged on bail in C.R.No. 374 of 2022 registered with Khed Police Station, Pune, on executing P.R.Bond of Rs. 50,000/- on furnishing one or two sureties of the like amount.
- ii. The applicant shall attend the concerned police station once in a month i.e. on first Monday of the month between 11.00 a.m. to 3.00 p.m. till framing of charge.
- iii. The applicant shall inform his latest place of residence and mobile number immediately after being released

and/or change of residence or mobile details, if any, from time to time to the Investigating Officer.

- iv. The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.
- v. The applicant shall not contact the victim and prosecution witnesses.
- vi. The Trial Court shall not be influenced by the observations made in this order and shall decide the matter on its own merits and in accordance with law.
- vii. The applicant shall attend the Court dates regularly.

6. The Bail Application is allowed in the aforesaid terms and is accordingly disposed of.

7. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)

SONALI
SATISH
KILAJE

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by SONALI
SATISH KILAJE
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