

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

CRIMINAL BAIL APPLICATION NO.387 OF 2025

Debroto Woben Biswas and Anr.

...Applicants

Vs.

The State of Maharashtra

...Respondent

VISHAL
SUBHASH
PAREKAR

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VISHAL SUBHASH
PAREKAR
Date: 2025.06.27
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Mr. Sumit Patil, Advocate for the Applicants.

Dr. Ashwini Takalkar, APP for Respondent/State.

Mr. Kiran Kanase, PSI, Sangvi police station.

CORAM : ASHWIN D. BHOBE, J.

DATE : 26th JUNE, 2025

P.C. :

1. By the present Bail Application, the Applicants are seeking bail on parity.

2. Respondent No. 2 on the basis of a complaint from the informant registered C.R. No. 315 of 2024 with Sangavi police station, Pune under Section 318(4), 336(2), 336(3), 340(2) read with Section 3(5) of the Bharatiya Nyaya Sanhita and Sections 14(a), 14(b) of the Section 3(a) of the Passports (Entry into India) Rules, 1950. There are four accused in the present crime.

3. Mr. Sumit Patil, learned Advocate for the Applicants states

that C.R. No. 315 of 2024 is now registered as Sessions Case No. 989 of 2024 and is pending on the file of Additional Session Judge, Pune.

4. Bail Application No. 6519 of 2024 filed by the Applicants was dismissed by the learned Additional Session Judge, Pune on 7th December, 2024.

5. Mr. Patil, learned Advocate for the Applicants states that accused Nos. 1 and 4 in the said crime have been released on bail. He states that accused No. 1 (Sagor Bishwas) was similarly placed with relation to the allegations and involvement, like the Applicants. He submits that the Sessions Court by and order dated 23rd May, 2025 at Exhibit 13 in Sessions Case No. 989 of 2024 has released the accused No. 1 on bail. He tenders the copy of the order dated 23rd May, 2025 which is taken on record and marked “X” for identification. He therefore, submits that the Applicants by the present Application under Section 483 of BNSS, seek bail on the ground of parity. He states that the Applicants does not have any criminal antecedents.

6. Dr. Takalkar, the learned APP for the State fairly states that the role assigned to the Applicants (accused No. 2 and 3) is similar and identical to the role assigned to accused No. 1 in the said crime. She submits that accused No. 1 is released on bail and therefore case of the Applicants on the ground of parity can be considered.

7. I have perused the record and the order dated 23rd May, 2025 (document marked as “X”), with the assistance of the Advocates of the parties.

8. Perusal of the charge-sheet indicates that the allegations and/or the role assigned to the Applicants (accused Nos. 2 and 3) is similar and identical to the role assigned to accused No. 1, in the said crime. On considering of the said role of accused No. 1, has been enlarged on bail. Applicants being similarly placed like the accused No. 1 in the said crime, Applicants are entitled to bail on the principle of parity.

9. The learned Advocate for the Applicants state that in the event indulgence is shown to the Applicants, they shall appear

and report to the Investigating Officer, Sangvi Police Station, Pune for a period of five years, on the fifth day of every month from 10 am to 12 pm. He states that this arrangement would commence from 1st July, 2025. He state that, this statement is made as identical condition has been imposed on accused No. 1, by order dated 23rd May, 2025 at Exhibit 13 in Sessions Case No. 989 of 2024. Statement is accepted.

10. In view of above, the present Bail Application is allowed and the Applicants are released on bail on the following conditions:

a] It is directed that the Applicants shall be released on bail in C.R. No. 315 of 2024 with Sangavi police station, Pune under Section 318(4), 336(2), 336(3), 340(2) read with Section 3(5) of the Bharatiya Nyaya Sanhita and Sections 14(a), 14(b) of the Section 3(a) of the Passports (Entry into India) Rules, 1950, on furnishing P.R. Bond of Rs. 25,000/- each with one or two solvent sureties in the like amount, each.

b] Applicants 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.

c] Applicants shall attend on each and every date of hearing fixed before the trial Court unless exempted.

d] Applicant shall upon release within three days shall furnish their residential addresses with proof and contact details to Trial Court and Investigating Officer, Sangvi police station, Pune.

e] The Applicants shall mark their presence before the Investigating Officer, Sangvi police station on every 5th day of the month from 10 am to 12 pm for a period of five years. This period for reporting shall commence from the month of July, 2025.

11. Criminal Bail Application No. 387 of 2025 is disposed off in the above said terms.

[ASHWIN D.BHOBE, J.]