

**ORDER BELOW BAIL APPLICATION Ex.63 OF ACCUSED NO.4 IN RCC
NO.65/2016.**

Perused application filed by the applicant/accused no.4 for bail. Perused say filed by the Learned A.P.P. Heard both the sides.

- 2) It is alleged that accused committed offences punishable u/s 407, 468 r/w 34 of Indian Penal Code.
- 3) First bail application was rejected. Thereafter, chargesheet is filed. Now after filing of charegesheet this is bail application.
- 4) It is alleged that accused committed offences punishable under sections 407, 468 r/w 34 of the Indian Penal Code. The alleged offences are nonailable, but triable by the Magistrate. Learned advocate for the accused submitted that there is change in circumstances. The Hon'ble High Court released accused Mukesh Ramkaran Sharma on bail. Hence, this applicant prayed bail on the ground of parity. Investigation is complete. Supplementary Chargesheet is filed against this accused. Hence, prayed for bail.
- 5) But on perusal of FIR, statement of witnesses and panchanamas, prima facie it appears that there is involvement of the accused no.4 in the crime. Muddemal of Rs.2,17,40,273/- seized during the investigation. The panchnamas and memorandum dated 12/10/2016 shows recovery of Rs.96,635/- from this accused. He further submitted that there is strong prima facie case against the accused.
- 6) The chargesheet is filed. On previous date charge was framed. No material witness is examined. The applicant/accused no.4 prayed bail on the ground of parity. The Hon'ble High Court pleased to release accused Mukesh Ramkaran Sharma on bail. On perusal of charegesheet it appears that role of present applicant/accused no.4 and accused no.3 is altogether different. The

present applicant/accused no.4 prima facie involved in the crime. It appears that, accused is habitual offender and various cases pending against him at pannel, Shahapur and this court. Prima facie case is made against this accused. Therefore, this accused is not entitled for bail on the ground of parity. In such circumstances, if the accused is released on bail, there is possibility that he will flee from justice. Therefore, considering the above reasons, I proceed to pass the following order.

ORDER

Bail application is rejected.

Uran,
Date : 22-12-2016.

(A.B.Chavan)
Judicial Magistrate, F.C. Uran.