

IN THE COURT OF ADDITIONAL SESSIONS JUDGE, NASHIK,
AT – NASHIK.

(Presided over by Mr. M. H. Shaikh)

Criminal Bail Application No.1284 of 2022

CNR NO.MHNS010054192022



Mahendra alias Sachin Prabhakar Patil
Age : 25 years, Occu.: Agri. & Driver
R/o : Nr. Ganpati Temple, Upendra Nagar
6th Scheme, Building No.3, 1st Floor, Plot
No.1, Cidco, Ambad, Nashik.

... Applicant/Accused.

V/S

State of Maharashtra
Through – Vani Police Station
(C. R. No.I-220 of 2022)

... Respondent/State.

Appearance :

Ld. Adv. Shri. Rahul Y. Patil for Applicant/Accused.

Ld. A.P.P. Shri. Sachin Gorwadkar for Respondent/State.

ORDER BELOW EXH. NO.1

(Delivered on 31th October, 2022)

1. This is an application filed under Section 439 of Criminal Procedure Code for grant of regular bail in connection with C. R. No. I-220/2022 registered with the respondent Vani Police Station for an offence punishable under Sections 353, 326, 324, 341, 323, 504 and 506 r/w 34 of the Indian Penal Code,

2. Read the application and the say filed by the respondent vide Exh.4. Heard Ld. Advocate for applicant and Ld. A.P.P. for the State.

3. It is the prosecution case that, on 12.10.2022 at 17.45 hours on Vani to Nashik Road in front of Vani-Shankeshwar Mandir the incident had taken place. The complainant was the driver of the S.T. Bus bearing MH-40/Y-5985. When the complainant reached the spot of the incident the applicant put his white colour swift Car across the S.T. Bus on the road and abused, threaten and assaulted the complainant by sharp weapon and injured him. The applicant obstructed the complainant from discharging his duty. The matter came to be reported to the Police.

4. It is the case of the applicant that, he is falsely implicated, investigation is almost over. No purpose will be served in keeping the applicant behind the bar. Ready to abide by the terms and conditions, which will be imposed by this Court. Therefore, prayed to allow the application.

5. Respondent filed their say and objected on the ground of seriousness of offence. In alternative prayed for direction to the applicant to remain present at the Police Station once in a week till the investigation is on.

6. Upon hearing the duo Advocates and appraisal of the documents, what can be gathered is that, the investigation is on the verge of completion. In view of the prayer for a direction for attendance, this Court finds that, the application can be allowed by imposing the conditions. No purpose will be served in keeping the applicant behind bar. Hence, the order.

ORDER

1. Criminal Bail Application No.1284/2022 is allowed.
2. Applicant Mahendra alias Sachin Prabhakar Patil be released on bail C.R. No.I-220/2022 registered with the respondent Vani Police Station for an offence punishable under Sections 353, 326, 324, 341, 323, 504 and 506 r/w 34 of the Indian Penal Code, on his executing a personal bond of Rs.15,000/- with one solvent surety in like amount to the satisfaction of the concerned Ld. J.M.F.C. Court.
3. Applicant not to threaten and pressurize the complainant and the witnesses.
4. Applicant not to tamper with the prosecution evidence.
5. Applicant not to repeat the same offence in future.
6. Applicant to remain present before the I.O. at the respondent Vani Police Station on 04.11.2022 and 11.11.2022 between 11.00 a.m. to 01.00 p.m. and co-operate the I.O.
7. Inform the order to the I.O. and the Ld. J.M.F.C. Court.
8. Bail before the Ld. J.M.F.C. Court.
9. In above terms, the Criminal Bail Application No.1284/2022 stands disposed off accordingly.

Place : Nashik.
Date : 31/10/2022

(M. H. Shaikh)
Additional Sessions Judge, Nashik.