

**Criminal Bail Application No.1257/2022**

CNR No. MHNS010053532022

[Mangesh Nimba Aher V s. State]

**Order below Exh.1.**

This is application for regular bail U/s. 439 of Cr.P.C. in Cr.No.I-222/2022 of Adgaon P. S., for offences punishable under Sections 363, 364A, 120B of I.P.C., Sec.3/25 of Arms Act and Sec.135 of Maharashtra Police Act on the basis of FIR lodged by Rohan Yogesh Bhalerao.

2. Bail application is filed on the ground that the applicant is innocent and has been falsely implicated in the case. That no specific role is assigned to the present applicant. That after arrest, nothing is seized from applicant to show his involvement in the crime. FIR is filed against unknown person. The applicant is not connected with the crime. The applicant is young agriculturist person. He has no criminal antecedents. On these main grounds and others have prayed for bail.

3. Notice was issued to State. State appeared through Ld. APP Mr. Kotwal and filed say resisting for grant of application on the grounds that investigation is in progress. There is concrete material against the present applicant. The applicant was part of conspiracy. That the applicant and prime accused Vinit Zalte exchanged phone calls amongst each other. That offence under Sec.138 of N.I. Act is pending against present applicant. On these

main grounds and others have prayed for rejection of bail application.

4. Heard Ld. Advocate Mr.Deshpande for applicant. Perused bail application. Heard Ld. APP Mr.Kotwal. Perused police papers and say filed by Adgaon police station.

5. On perusal of F.I.R., it mentions that informant's father called him and told that one Vinit and others have kidnapped him and his nephew and are demanding money. The investigation further reveals about demand of Rs. 1 crore as ransom. The investigation further reveals that abductors and victims were apprehended in Saputara, Gujrath Border. The present applicant was not found in Innova Crista vehicle No.MH-15-SU-7800. Thus, he was not apprehended at the spot. The say of the Investigating Officer does not reveal any criminal antecedents against present applicant. Hence, on certain terms and conditions, discretion in form of regular bail can be exercised in favour of the applicant. Hence, following order is passed :

### **ORDER**

- (1). Application is allowed.
- (2). The applicant Mangesh Nimba Aher be released on bail in Cr.No.I-222/2022 of Adgaon P. S., for offences punishable under Sections 363, 364A, 120B of I.P.C., Sec.3/25 of Arms Act and Sec.135 of Maharashtra Police Act on furnishing a PR and SB of Rs.25,000/- with one or more sureties of like amount on following conditions.

- (a). He shall attend Adgaon Police Station on every Sunday between 10.00 a.m. to 1.00 p.m. till filing of the charge sheet,
  - (b). He should furnish two documents about his identity proof and two documents in respect of identity proof of his relatives.
  - (c). He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade them from disclosing such facts to the Court or to any police officer.
  - (d). Violation of any of the above mentioned condition, would result in cancellation of bail.
- (3). Inform concerned police station accordingly.
  - (4). Bail before JMFC Court

Nashik.

( V. P. Desai)

Date : 17/10/2022

Additional Sessions Judge, Nashik.