

Criminal Bail Application No.1245/2022

CNR No. MHNS010053262022

[Pankaj Sudhakar Sonawane V s. State]

Order below Exh.1.

This is application for regular bail U/s. 439 of Cr.P.C. in Cr.No.I-201/2022 of Bhadrakali P. S., for offences punishable under Sections 307, 341, 143, 144, 147, 148, 149 of I.P.C., on the basis of FIR lodged by Nilesh Sadashiv Kokane.

2. Bail application is filed on the ground that the applicant is innocent and has been falsely implicated in the case. That informant was assaulted by unknown persons. That applicant is not involved in the offence. That the applicant was not present at the spot at the relevant time of incident. That injured is discharged from the hospital. Nothing is seized from the applicant and there is no previous conviction. On these main grounds and others has 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. That the applicant will threaten the witnesses if released on bail. That the applicant is identified in the test identification parade. Three motorcycles used in the crime are seized. That there are criminal antecedents against the applicant in form of extortion, kidnapping, abduction, causing grievous hurt and murder. On these main grounds and others have prayed for rejection of bail application.

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

5. On perusal of F.I.R. as well as case papers, it is apparent that, on 11.7.2022, Nilesh Kokane [informant] was proceeding on his motorcycle from Shivsena Bhavan. Two motorcycles came from behind and one of them assaulted him with wooden log, other on his left leg. One of them sprinkled ink, assaulted him with fist and kick blows and threatened him for life.

6. The report of the police reveals that the informant identified the applicant. There is prima facie case against the applicant. There are as many as 7 offences registered against Pankaj Sonawane, out of which, one is murder case, others are causing grievous hurt with dangerous weapon and extortion. Considering prima facie involvement of the applicant in assault and his previous history, it will not be appropriate to release him on bail. Hence, I pass following order.

ORDER

(1). Application stands rejected.

Nashik.

(V. P. Desai)

Date : 14/10/2022

Additional Sessions Judge, Nashik.