

**Order below Exh.1**  
**in Cri. Bail Application No.108/2022.**  
( Balu Gopa Mahale and others Vs State)

This is second bail application is moved by the applicant-accused No.1) Balu Gopa Mahale and No.2) Motilal @ Nana Balu Mahale under section 439 of the Criminal Procedure Code for grant of bail in connection with CR No.68/2021 registered with Abhona Police Station for the offence under section 306, 323, 504, 506 r.w.s. 34 of the Indian Penal Code on 24.11.2021 in respect of alleged incident of suicidal death of victim Popat Sahebrao Mahale.

2. It is stated in the application that the applicant-accused are uncle and cousin brother of deceased Popat. They have their agricultural land adjoining to each other. The alleged incident took place in between 17.11.2021 and 18.11.2021. It is also stated in the application that earlier bail application No.1659/2021 was rejected by this court and now investigation of alleged crime is completed and charge-sheet is filed in the Lower Court bearing RCC No.23/2022. Therefore, there is change in circumstances and hence prayed to allow the bail application.

3. The prosecution objected the bail application. I.O. has filed his report.

4. Heard, both the parties. Perused record.

5. As the earlier bail application was decided on merit by this court, however, fact is that charge-sheet is filed and it will take time to commit the charge-sheet by the lower court and also will take time to began the trial. I.O. has confirmed the fact that deceased has

committed suicide. Therefore, considering all these fact, accused are local resident and they will not jump the bail. Hence, I am inclined to grant bail application. Hence, following order is passed.

**ORDER**

1. Application is allowed.
2. Applicant-accused No.1 Balu Gopa Mahale and No.2) Motilal @ Nana Balu Mahale, in connection with CR No.68/2021 registered with Abhona Police Station for the offence under section 306, 323, 504, 506 r.w.s. 34 of the Indian Penal Code, be released on bail on executing bond of Rs.30,000/- each with one or two surety in like amount.
3. They shall not abscond or tamper with the witnesses.
4. They shall furnish their address proof aadhar card of his two near relatives alongwith mobile numbers.
5. They shall attend the court on every date and co-operate during trial.
6. In the event of breach of any of the conditions, their bail bonds shall be liable to be cancelled.
7. Bail in lower Court.

Date-02.02.2022

( M. A. Shinde )  
Additional Sessions Judge-8,  
Nashik.