

ORDER BELOW EX. 01 IN CRIMINAL BAIL APPLICATION
NO. 34 OF 2022

{Dilip Nimbaji Deore vs. The State of Maharashtra through Sarkarwada
Police Station}

This is the bail application under section 439 of the Criminal Procedure Code, 1973 filed by the applicant-accused in crime No. 240 of 2021 registered with Sarkarwada Police Station, Nashik for the offences punishable under sections 307, 504 and 506 of the I. P. C.

02] The applicant contended that false and fabricated case is registered against him. The complainant is his wife and they have two children. Their marriage is subsistence from 23 years. The complainant deserted him and she is residing separately. She filed this false complaint. He has no criminal antecedent and is permanent resident of the address mentioned in the application. He is ready to abide by any conditions imposed by the court. Hence, he prayed for grant of the bail.

03] learned APP has filed say at Ex. 4 and I. O. has also filed say at Ex. 05. They have stated that the offence is of serious nature. Against the accused, three non-cognizable offences are filed by the complainant. If the accused is released on bail. Then, there are chances of commissions of graver offence. He may threat the complainant and the witnesses. They have prayed for rejection of the bail.

04] Heard the learned counsel for accused and learned APP. They have argued as per their stand taken.

05] I have gone through the application, say and the arguments. It appears to the court that the injuries caused to the complainant are in the nature of abrasion and are of simple nature. Their marriage is in subsistence from 23 years. The complainant filed divorce petition against him. The relations between them appears to be strained. The accused is in jail from 30.12.2021. His custodial interrogation is not required and nothing remained to be recovered from him. By imposing certain harsh conditions, he can be released on bail. Hence, the

following order.

ORDER

- 01] Application is allowed.
- 02] Accused namely Dilip Nimbaji Deore be released on bail on executing personal bond of Rs. 15,000/- with one or more surety in the likewise amount each in crime No. 240 of 2021 registered with Sarkarwada Police Station, Nashik for the offences punishable under sections 307, 504 and 506 of the I. P. C.
- 03] The accused shall attend police station on every Monday between 11.00 a.m. to 02.00 p.m. till filing of charge sheet. and should attend the police station as and when his attendances is required by the I. O.
- 04] 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 him from disclosing such facts to the court or to any police officer to tamper with the evidence.
- 05] He shall not tamper the prosecution evidence in any manner.
- 06] He shall not leave India without permission of this court.
- 07] He shall not commit similar type of offence.
- 08] He shall furnish his detailed address with proof and his mobile number.
- 09] The accused should not enter in the vicinity where the complainant is residing and her work place till filing of charge sheet.
- 10] Bail before concerned court of Judicial Magistrate First Class.

Date : 14.01.2022

(R. R. Rathi)
Additional Sessions Judge-5,
Nashik.

