

**ORDER BELOW EX. 01 IN CRIMINAL BAIL APPLICATION**  
**NO. 10 OF 2022**

{Rohit @ Male Govind Dingam vs. The State of Maharashtra through  
Upnagar Police Station}

This is second bail application under section 439 of the Criminal Procedure Code, 1973 filed by the applicant-accused in crime No. 104 of 2020 registered with Upnagar Police Station, Nashik for the offences punishable under sections 307, 394, 397 read with 34 of the I. P. C., under section 135 of the Bombay Police Act and section 3 read with 25 of the Arms Act.

02] The applicant contended that false and fabricated case is registered against him. The accused is resident of Nashik and he will not abscond. There is previous enmity between applicant and complainant. Other accused are released on regular and anticipatory bail. Nothing remained to be seized from the accused. The complainant is discharged from the hospital and investigation is completed. Now, his supplementary charge sheet is filed. This is change in circumstance to file second bail application. He is ready to abide by any conditions imposed by the court. He has prayed for regular bail.

03] I. O. filed say at Ex. 04 and APP filed say at Ex. 05. They have stated that the offence is of serious nature. The accused is arrested on 24.10.2021 and investigation against him is going on. He is the main accused in the crime and by means of sickle, he caused injury on the back and hip of the complainant and tried to kill him. As many as, six different crimes of similar nature and one crime against woman is pending against him. He is habitual criminal and people of that vicinity are afraid of him. If he is released on bail, he may again commit similar offence and will threat the complainant and the witnesses. Hence, they have prayed for rejection of bail.

04] Heard the learned counsel for the accused and learned APP.

They have argued as per the above stand taken. The counsel for the accused filed bail orders of other accused and present accused.

05] I have gone through application, say, arguments, police papers and the bail orders of other accused and present accused. His earlier bail application was rejected, that time, the investigation was going on and there was possible threat to the witnesses. Now, the investigation is completed and charge sheet is filed. Also, he is released on bail in the offences registered against him as stated in para no. 7 of the prosecution. The injuries to the complainant/injured are of simple nature. The complainant is out of danger. No purpose would serve to keep the accused behind bar. Hence, he is entitled for bail. Hence, the following order :

### **ORDER**

- 01] Application is allowed.
- 02] Accused namely Rohit @ Male Govind Dingam be released on bail on executing personal bond of Rs. 25,000/- with one or more sureties in the likewise amount each in crime No. 104 of 2020 registered with Upnagar Police Station, Nashik for the offences punishable under sections 307, 394, 397 read with 34 of the I. P. C., under section 135 of the Bombay Police Act and section 3 read with 25 of the Arms Act.
- 03] The accused shall attend 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] Bail before concerned court of Judicial Magistrate First Class.

Date : 07.01.2022

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