

ORDER BELOW EX. 01 IN CRIMINAL BAIL APPLICATION
NO. 1214 OF 2022

(Vinod Kailas Zalte vs. The State of Maharashtra through Panchavati
Police Station)

This is the bail application under section 439 of the Criminal Procedure Code, 1973 filed by the applicant-accused in crime No. I-381 of 2022 registered with Panchavati Police Station, Nashik for the offences punishable under sections 392, 397, 323, 504 read with 34 of the I. P. C.

02] The applicant contended that false and fabricated case is registered against him. He has no concerned with the crime. He is innocent and not done any offence. He is permanent resident of Undirwadi village, Tal. Yeola, Dist. Nashik. His family is dependent on him. Nothing has been seized from the applicant. The muddemal is already recovered and investigation is completed. He is in jail from 26.09.2022. He has no criminal antecedent. He is doing service at Anjana Lawns, Pathardi and also taking education He is ready to abide by any conditions imposed by the court. He has prayed for grant of bail.

03] Learned APP has filed say at Ex. 04 and I. O. has also filed say at Ex. 05. They have stated that the offence is of serious nature. Test Identification parade is to be done. If the accused is released on bail, he will threat the prosecution witnesses. The informant and witnesses are frightened. There are criminal antecedents against accused No.2 Sagar Krushna mali. The accused will not co-operate in the investigation. There is possibility that he will flee away. Hence, they have prayed for rejection of bail.

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

05] I have gone through application, say, arguments, documents, police papers. The offence is triable by JMFC. The accused has no criminal antecedents. The muddemal i.e. mobile, Rs.700/- cash and one iron knife is already recovered. Nothing remained to be seized from the accused. In the circumstances, he is entitled for conditional bail. Hence, the following order :

ORDER

- 01] Application is allowed.
- 02] Accused namely Vinod Kailas Zalte be released on bail on executing personal bond of Rs.15,000/- with one or more surety in the likewise amount in crime No. I-381 of 2022 registered with Panchavati Police Station for the offence punishable under section 392, 397, 323, 504 read with 34 of I.P.C.
- 03] The accused shall attend police station, as and when his attendance 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 numbers.
- 09] Bail before concerned court of Judicial Magistrate First Class.

Date : 12.10.2022

[R.R.Rathi]
I/c. Additional Sessions Judge-5,
Nashik