

**Order below Exh.1 in Cri. Bail Application No.152/2022.**

{ Dashrath Bhimaji Divate and others Vs. State }

This is application under section 439 of the Criminal Procedure Code for grant of bail pending trial.

2. The present application is moved by the applicants-accused No. 1) Dashrath Bhimaji Diwate, 2) Akash Kailas Shinde, 3) Gotiram Bhimrao Rao, 4) Devhand Vishnu Mate, 5) Sharad Ramdeo Hadke, 6) Rajaram Kacharu Chote, 7) Sharad Pandhari Mate, 8) Ananda Karbhari Sahane, 9) Arjun Damu Borade, 10) Pavan Kailas Mate, 11) Ramdas Baban Gaikar, 12) Shivaji Santu Shinde, 13) Vilas Bandu Mate, 14) Kisan Shankar Shinde, 15) Balasaheb Vishnu Dhumal, 16) Sadashiv Rama Kalekar, 17) Santu Eknath Borade, 18) Sampat Kisan Kalekar, 19) Kacharu Jairam Bagul, 20) Bhaskar Trambak Mate, 21) Rajendra Dattatraya Shinde and 22) Seema Subhash Narode are praying to release them on bail in connection with the CR No.25/2022 registered with Vadivarhe Police Station under section 353,143,147,504, 506,188 r.w.s.149 of the Indian Penal Code.

3. It is alleged that applicants-accused are the agriculturist as per FIR, they are agitating about disconnection of their electric supply by the Electricity Board and therefore, Assistant Engineer of Maharashtra State Electricity Distribution Company Ltd. (hereinafter referred to as "MSEDCL" for short) has lodged the FIR on 29.1.2022 against all the applicants-accused. Applicants-accused were arrested and produced before the learned JMFC, Igatpuri and at present all are in MCR except accused Bandu Sakharam Murtadak, who is yet not been arrested as per police

report filed on record.

4. Heard, both the parties. Perused the record.

5. Applicants-accused are facing charges of obstructing public servants on duty. Applicants-accused are in MCR, no purpose will be served by keeping them in jail. They are agriculturists and they are agitating their rights. It is the case of the prosecution that they have crossed the limit and threatened the officer of the MSEDCL and demanded restoration of the electric supply. Thus, on the background of this situation, present application needs to be allowed with certain conditions. Hence, following order is passed.

### **ORDER**

1. Application is allowed.
2. Applicant-accused No. 1) Dashrath Bhimaji Diwate, 2) Akash Kailas Shinde, 3) Gotiram Bhimrao Rao, 4) Devhand Vishnu Mate, 5) Sharad Ramdeo Hadke, 6) Rajaram Kacharu Chote, 7) Sharad Pandhari Mate, 8) Ananda Karbhari Sahane, 9) Arjun Damu Borade, 10) Pavan Kailas Mate, 11) Ramdas Baban Gaikar, 12) Shivaji Santu Shinde, 13) Vilas Bandu Mate, 14) Kisan Shankar Shinde, 15) Balasaheb Vishnu Dhumal, 16) Sadashiv Rama Kalekar, 17) Santu Eknath Borade, 18) Sampat Kisan Kalekar, 19) Kacharu Jairam Bagul, 20) Bhaskar Trambak Mate, 21) Rajendra Dattatraya Shinde and 22) Seema Subhash Narode, in connection with the CR No.25/2022 registered with Vadivarhe Police Station under section 353,143,147,504, 506,188 r.w.s.149 of the Indian Penal Code, be released on bail on executing bond of Rs.15,000/- each with surety in like amount.

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3. They shall not repeat the same crime.
4. They shall furnish their address proof aadhar card of their two near relatives alongwith mobile numbers.
5. They shall not threaten the first informant and other employee of MSEDCL.
6. They shall co-operate the Investigating Officer in the investigation and shall attend the police station as and when required by the Investigating Officer.
7. In the event of breach of any of the conditions, their bail bonds shall be liable to be cancelled.
8. Bail in lower Court.

Date: 03.02.2022

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