

**ORDER BELOW EX. 01 IN CRIMINAL BAIL APPLICATION**  
**NO. 125 OF 2022**

{Deepak alias Demo Bhausahab Jadhav vs. The State of Maharashtra  
through Upnagar Police Station}

This is the bail application under section 439 of the Criminal Procedure Code, 1973 filed by the applicant-accused in crime No. 195 of 2021 registered with Upnagar Police Station, Nashik for the offences punishable under sections 307, 326, 323, 504, 506 read with 34 of the IPC and section 135 of the Maharashtra Police Act.

02] The applicant contended that false and fabricated case is registered against him. He is permanent resident of the address mentioned in the application having movable and immovable properties there. The incident occurred in spur of moment. He is in Jail from past more than three Months. He has not used any offence in the crime. The investigation is completed and charge sheet is filed. He has no criminal antecedent. The others accused are released on bail. So, they have 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. Charge sheet is filed against all the accused. If he is released on bail, he will threat the prosecution witnesses. 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. There is prima-facie case against the accused. The investigation is completed and charge sheet is filed. The other accused having main role are released on bail vide order in criminal bail application no. 92 of 2022 and 21 of 2022. Hence, parity applies. The complainant is out of danger. Accused has no criminal antecedent. He is

entitled for bail. Hence, the following order :

**ORDER**

- 01] Application is allowed.
- 02] Accused namely Deepak alias Demo Bhausahab Jadhav 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. 195 of 2021 registered with Upnagar Police Station, Nashik for the offences punishable under sections 307, 326, 323, 504, 506 read with 34 of the IPC and section 135 of the Maharashtra Police Act.
- 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 : 04.02.2022

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