

ORDER BELOW EX. 01 IN CRIMINAL BAIL APPLICATION
NO. 126 OF 2022

{Rupesh Ratnakar Kothule 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. 377 of 2021 registered with Panchavati Police Station, Nashik for the offences punishable under sections 307 and 324 of the I. P. C.

02] The applicant contended that false and fabricated case is registered against him. The offence took place out of family dispute. False case is filed by the wife when he went to take her back. Investigation is completed and charge sheet is filed. The previous bail application was rejected as investigation was going on. On suitable terms and conditions, he has prayed for 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. Accused has criminal antecedent. Investigation is going on. If the accused is released on bail, he may threat the prosecution witnesses and will tamper prosecution evidence. Hence, they have prayed for rejection of bail application.

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. There is prima-facie case against the accused. The accused used deadly weapon and tried to kill his wife and brother-in-law. But, they resisted the assault and there is CLW on the hands of brother-in-law. His earlier bail application was rejected as investigation was going on. Now, charge sheet is filed and investigation is completed. In the four different crimes under different provisions of law, he is already released on bail. Considering the same, he can be released on bail on suitable terms and

conditions. Hence, the following order.

ORDER

- 01] Application is allowed.
- 02] Accused namely Rupesh Ratnakar Kothule 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. 377 of 2021 registered with Panchavati Police Station, Nashik for the offences punishable under sections 307 and 324 of the 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 : 04.02.2022

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