

**ORDER BELOW EX. 01 IN CRIMINAL BAIL APPLICATION  
NO. 157 OF 2022**

{Uday alias Umesh Arun Tidke vs. The State of Maharashtra through  
Sarkarwada Police Station}

This is the bail application under section 439 of the Criminal Procedure Code, 1973 filed by the applicant-accused in crime No. 155 of 2021 registered with Sarkarwada Police Station, Nashik for the offences punishable under sections 307, 452 and 342 read with 34 of the IPC.

02] The applicant contended that false and fabricated case is registered against him. He is innocent and not committed any offence. He is falsely implicated in the crime. He was not present at the time of incident. Nothing is seized from him. He has no concerned with the crime. He will cooperate the investigation officer. Almost investigation is completed. He has deep roots in the society. He is ready to abide any conditions imposed by the court. So, 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. The present accused by means of sharp edged weapon assaulted thrice on the head of the complainant and also on his left hand and tried to kill him. The said weapon Koyata is seized from him. The accused after the incident was caught in the CC TV camera. 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. During arguments, it was pointed out that accused no. 2 was released on anticipatory bail while order in criminal bail application no. 1624 of

2021. On perusal of that order, the role of that accused was very limited as he accompanied the present accused and after committing the offence he latched the door from outside. He did not use deadly weapon against the complainant. But, the present accused with pre-meditation and with full preparation, suspecting that the complainant has love affair with his wife, in order to kill him entered in his room and assaulted thrice by Koyata on his head and caused grievous injury to him. Also, he caused grievous injury on his forearm. Also, his CT brain suggests fracture injury to his head. Considering the dangerous role of the accused to kill the complainant and the investigation is going on, if he is released on bail, he will definitely threat the complainant and the prosecution witnesses and will commit serious offence than this. Considering the act of the accused to be dangerous and life threatening. He is not entitled for bail. Hence, the following order.

**ORDER**

Application is rejected.

Date : 04.02.2022

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