

**ORDER BELOW EX. 01 IN CRIMINAL BAIL APPLICATION**  
**NO. 197 OF 2022**

{Aman Dayal Jadhav vs. The State of Maharashtra through Gangapur  
Police Station}

This is the bail application under section 439 of the Criminal Procedure Code, 1973 filed by the applicant-accused in crime No. 18 of 2022 registered with Gangapur Police Station, Nashik for the offences punishable under sections 307, 324 and 506 of the I. P. C.

02] The applicant contended that false and fabricated case is registered against him. He has not committed any offence. He has not injured the complainant or the witnesses. He is falsely implicated in the crime. Section 307 of the I. P. C. is not attracted against him. Nothing remained to be seized from him and his custody is not required. If he is released on bail, he will cooperate the investigation machinery. He is ready to abide by 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. 5. They have stated that the offence is of serious nature. The present accused assaulted on the head of father-in-law of the complainant and injured him and also caused injury on hand. The injured is taking treatment. The weapon of the offence is seized from him. The clothes worn by him are also seized. Further investigation is going on and his custody required. If he is released on bail, he may threat the complainant and the prosecution witnesses and may tamper the evidence. 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. When the accused tried to assault on the father-in-law of complainant,

that time, she intervened to save him and the accused assaulted by means of Koyata on the head of complainant. She sustained bleeding injury. Then, the accused assaulted on the left hand of the father-in-law of the complainant and he was also injured. Yet, the informant is taking treatment. The weapon and clothes are seized from the accused. Investigation is going on. The medical certificate on last date and also today is not brought by the I. O. on record. The reason is best known to him. Might be, he is helping the accused in getting bail. The conduct of I. O. is highly objectionable. Looking to the facts that the accused assaulted by Koyata on the head of the complainant and then, assaulted on the hand of her father-in-law, indicates his intention to kill. If the accused is released on bail, he may threat the prosecution witnesses. The accused is not entitled for bail. Hence, the following order :

**ORDER**

Application is rejected.

Date : 24.02.2022

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