

**Order below Exh.1 in Cri. Bail Application No. 290/2022**

Sanjay Somnath Gangode .. Applicant/  
Accused.

Vs.

The State of Maharashtra  
through Police Inspector,  
Dindori Police Station, Dindori  
(Cr. No.I 68/2022) .. Prosecution

**Order below Exh.1.**

1. This application has been filed by the applicant/accused under section **439 of Cr.P.C.** for releasing him on **regular bail** in the aforesaid Crime registered at Dindori Police Station, for the offence punishable under sections 307, 325, 324, 323, 504, 506 of the IPC.
2. According to the case of Prosecution, the report was lodged by one Navnath Prakash Malsane on 20.02.2022 alleging therein that on 16.02.2022, the accused had attempted to kill his cousin Sandip Shivaji Malsane owing to non-return of his motorcycle on time. Based on his report, police registered the offence and the applicant was arrested on 24.02.2022. Since then, he is in custody.
3. The learned counsel Mr. G.L.Bodke appearing for the applicant/accused has argued that the applicant is innocent and has not committed any offence. He is falsely implicated in the present crime. The applicant is not in any way concerned with the alleged offence. The FIR lodged does not reveal the specific role of the

applicant. Not a single non-cognizable offence is registered against the applicant. There is delay in lodging the report. The complainant is discharged from the hospital. There is no criminal antecedents. His custodial interrogation is already over. His further detention is not required. Considering the nature of the offence, he prayed for grant of bail to applicant/accused.

4. The Investigating Officer has filed his reply at **Exh.7** and strongly opposed the application stating that the offence is serious in nature and the injured is still not in a condition to give his statement. He is still under treatment. The investigation is at its initial stage. If applicant is released, he may tamper with evidence. Hence, prayed for rejection of the application.

The Ld. APP Mrs. Reshma Jadhav has submitted her arguments in line with the say filed by the investigating Officer and prayed for rejection of the application.

The original complainant appeared through his ld. Counsel Dipak Ashok Bhusal and strongly opposed the application by filing say vide Exh.8. He submitted that his condition is still serious. There is every possibility of adding major sections in the crime. The accused and his relatives are trying to threaten the complainant. Hence, lastly prayed for rejection of the application.

5. After hearing arguments of both the sides, prima facie, it appears that injured suffered grievous injuries on different parts of his body. The photographs to that effect is filed on record. As per the submission of investigating officer, the injured is serious and is unable to give statement till date. Considering the seriousness of the

offence and as the investigation is at initial stage, I am not inclined to release the applicant on bail at this stage. Hence, following order.

**Order**

Application stands rejected.

Date : 17.03.2022.

( **Smt. S.S. Nair** )  
Addl. Sessions Judge-4, Nashik.