

Order below Exh.1
(Passed on 4.11.2022)

1. The present application is filed for relaxing the condition of attendance directed by the order of this Court dated 12.5.2022 in bail Reg. Bail Application No.227/2022, Ramesh + 1 V/s. State and the other dated 25.5.2022 in Reg. Bail Application No.254/2022 Akshay V/s. State. The copies of the orders are filed below document list vide Exh.3.

2. Heard learned Adv. Mr. P.S. Wakode, for the applicants and learned APP Ms. R.D. Bawaskar, for the prosecution. It is submitted on behalf of the applicants that applicants are attending the Shegaon City police station as per the orders of this Court dated 12.5.2022 and 25.5.2022 respectively. The applicant No.1 is old aged person suffering from old infirmities, the applicant No.2 is student and the applicant No.3 is agriculturist, now a days there is season of preparing crops, hence the applicants could not attend the police station as directed by the Court on every Sunday and Wednesday in between 11.00 a.m. to 2.00 p.m. It is further submitted that the investigation is near about completed and there is no need of applicants with the police. It will take time to file charge sheet in these circumstances, the applicants will suffer. The applicants are ready to co-operate the police during further investigation as and when required. Therefore,

prayed for relax the condition imposed by this Court while granting the bail to the applicants on 12.5.2022 and 25.5.2022 respectively to attend the police station on every Sunday and Wednesday between 11.00 to 2.00 p.m.

3. The prosecution as well as I.O. filed its say vide Exh.5 opposed the application on the count that the offence is serious in nature. The applicants, informant and prosecution witnesses are relatives to each others and possibility cannot be ruled that they would pressurize, induce and tamper the prosecution evidence and would not co-operate the police machinery. Therefore, prayed for rejecting the application.

4. I have gone through the above order. Perused the say of prosecution. It is seen that the applicants are attending the police station for a considerable time till today as per the orders of this Court while granting the bail and no breach of these conditions is being stated by the I.O. Further the applicants are ready to co-operate the police machinery as and when required. Considering the above facts and circumstances, and the compliance of the order of attendance to police station, I hold that the applicants have made out a case for relaxation of the condition of attendance. Hence I found there is substance in the application and in sequel proceed to pass following order :-

ORDER

- 1] Application is allowed.
- 2] The order dated 12.5.2022 passed in RBA No.227/2022 and order dated 25.5.2022 passed in RBA No.254/2022 imposing the conditions of attendance at the concerned police station upon the applicant “on every Sunday and Wednesday between 11.00 a.m. to 2.00 p.m. at the police station Shegaon City” are hereby relaxed and withdrawn. Instead of that the applicants are directed to co-operate the police machinery as and when required by the I.O.
- 3] The remaining conditions passed in RBA No.227/2022 dated 12.5.2022 and RBA No.254/2022 dated 25.5.2022 remained as it is.
- 4] Inform the concerned police station accordingly.

Dt.4/11/2022

(A.S.Wairagade)
Addl.Sessions Judge, Khamgaon.
Dist. Buldana.

Certificate

I certify that this order PDF uploaded is a true and correct copy of original signed order.

Name of Steno : Mrs. Nishat Anjum Mohd. Rafique.

Name of Court : A.S.J., Khamgaon.