

ORDER BELOW EXH.01

(Passed on 02/11/2022)

This is an application for regular bail as per section 439 of the Code of Criminal Procedure, 1973. Heard Advocate for applicant. He submitted that, crime No.244/2022 is registered against the applicant along with other accused at Tamgaon police station for the offences punishable under Sections 354, 354-A, 294, 324, r/w 34 r/w. Section 3 and 25 of Arms Act. According to him, now he is residing at Telhara and serving as a teacher and respectable person having no any criminal antecedents.

2. It is submitted on behalf of the applicant/accused that already ad-interim bail is granted as per order dated 07/10/2022. Hence, claimed for granting it finally.

3. Perused case diary. Heard learned Advocate for applicant/accused and learned APP for prosecution. Perused the say filed by I.O. vide Exh.09.

4. After considering arguments and perusing the record it is seen that applicant is residing at Telhara and serving as a teacher. He occasionally used to go at his village Khiroda. The complainant and his family is on inimical terms with the applicant. There is dispute in between the parties.

5. It is submitted on behalf of applicant/accused that he is law abiding person. There are counter cases. The conditions of ad interim bail is complied properly by him.

6. The prosecution filed its say below Exh.09 and submitted that parties are in inimical terms and there might be again crime on the

same ground. The crime is serious in nature. If he is released on bail he may pressurize the prosecution witnesses and commit alike offence in future. Hence, prayed for rejection of application.

7. After hearing arguments and after going through the F.I.R., it is seen that custodial interrogation of applicant is not warranted. It is required to mention here that the interim protection was given to the applicant/accused as per order passed below Exh.5 vide order dated 07.10.2022. He has complied the terms and condition imposed by the Court. In view of the above facts and circumstances, it is clear that applicant/accused has made out a case for grant of regular bail. In result, following order is passed:-

ORDER

- 1] Application Exh.1 is allowed.
- 2] The interim protection order dated 07.10.2022 passed below Exh.5 is hereby confirmed and made absolute till conclusion of the trial with strict compliance of directions and the condition about attendance to Tamgaon police station every day is relaxed by directing applicant to attend the said police station on every Sunday, Wednesday, Friday in between 5 to 7 p.m. and the remaining conditions will be the same.
- 3] Inform concerned police station accordingly.

Date :02.11.2022

(P.S.Kale)
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 Court : A.S.J.Khamgaon.
Name of Steno : C N Mahale
uploaded on : 02/11/2022.