

MHKO080003662024 	<u>ORDER BELOW EXH.1 CRIMINAL BAIL</u> <u>APPLICATION NO. 50/2024.</u> (Rukmanna Ganpati Patil and 17 Ors. Vs. State of Maharashtra)
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1. Present application is filed under section 437, 439 of the Code of Criminal Procedure, 1973 to release the accused / applicants on bail. The applicant was arrested in C.R.No.88/2024 registered at Police Station Chandgad.

2. The learned advocate for the applicants submitted that the allegations made against the applicants that they attempted to commit murder of informant and persons with him. At this stage, it is not necessary to enter into the merits of the matter. Already some of the accused were released on anticipatory bail. These applicants are in jail since last 65 days. Already they suffered sufficient punishment. Now, the investigation is over. The charge sheet is filed before the learned J.M.F.C., Chandgad. It shows that the presence of this applicant for further investigation is no more required. It is not the case of the prosecution that these applicants are habitual criminals. They are having landed and house property. Therefore, there are very less chance that they would abscond or did not remain present for trial. These applicants are ready to follow all the conditions imposed by this Court. Even they are ready to remain away from the village for some period. Also, there is no allegations that the accused who were already released on bail caused any pressure on the witnesses and hence, the application may be allowed.

3. The learned APP submitted that no doubt that the charge sheet is filed before the learned J.M.F.C., Chandgad but the allegations made against the applicants are very grave. If they

released on bail, there are chances that they may repeat the offence and it may put pressure on the witnesses during the trial. Hence, the application may be dismissed.

4. On perusal of record, it finds that, the applicants are in jail since 07/03/2024. Rival allegations made against each other. Even these applicants alleged that informant and other witnesses caused injury to them. The case is at preliminary stage. Therefore, at this stage, it is not necessary to enter into the merits of the matter. No doubt that the allegations made against the applicants are very grave. But it is required to consider that the investigation is almost completed. Therefore, presence of these applicants with police for investigation is no more required. Also, it would be difficult to start the trial as early as possible and conclude it. Also the applicants are ready to reside out of their village for some period. These submissions of applicants show that they are ready to follow all the conditions imposed by this Court and they are trying to avoid any further dispute. After considering all these facts, the applicants are entitled to be released on bail on certain conditions. Hence, the following order is passed.

ORDER

- (1) The Bail Application is allowed.
- (2) The accused/applicants namely Rukmanna Ganpati Patil, Anil Tukaram Patil, Sambhaji Ningappa Patil, Sanjay Ramu Patil, Narayan Vaiju Patil, Sunil Janba Patil, Manohar Nana Patil, Vishnu Jotiba Patil, Kiran Sambhaji Patil, Ramu Ningappa Patil, Ramkrishna Mahadev Patil, Nana Hullappa Patil, Maruti Jotiba Patil, Gajanan Maruti Patil, Bhamanna Jotiba Patil, Tanaji Bharmanna Patil, Rajaram Krishna Patil and Ramesh Maruti Mutekar All R/o. Mandu Durga, Tal. Chandgad, Dist. Kolhapur be released on bail on his furnishing P.R. bond in the

sum of Rs.1,00,000/- (Rupees One lakh only) with one or two surety of the like amount on following conditions:

- i) Accused/applicants shall attend the Chandgad Police Station on every Friday for the period of one months during 10.00 a.m. to 4.00 p.m.
 - ii) The applicants shall not repeat the offence.
 - iii) The applicants shall not threaten to the witnesses directly or indirectly.
 - iv) The applicants shall make themselves available for the investigation as and when required by Investigating Officer if required.
 - v) The applicant shall not visit to village Mandedurga, Tal. Chandgad, Dist. Kolhapur for the period of two months;
 - vi) Violation of any of the above conditions may be a ground for cancellation of bail forthwith.
- (3) Inform Chandgad Police Station accordingly.
- (4) Bail Before Judicial Magistrate First Class, Chandgad

Date: 10.05.2024.

(O.R. Deshmukh)
Additional Sessions Judge,
Gadhinglaj.