

MHAH220014922019



R.C.C. No. 339/2019

State of Maharashtra

Vs.

Hanu Namdeo Mane

ORDER BELOW EXH.20 IN R.C.C. No. 339/2019

(Passed on 07/01/2025)

Perused the present bail application filed by the accused No.1.

2. It is stated by accused No.1 that Hon'ble court of Sessions has granted anticipatory bail to the accused. If he is granted bail he will abide by all the conditions imposed by the Court and remained present in the Court. Ld. A.P.P. Mr. M. V. Jaybhaye filed say on overleaf of the present bail application, wherein, Ld. A.P.P. has stated that in the present case accused was granted interim bail by an order dated 01/02/2019 by the Hon'ble Court of Sessions. Thereafter, N.B.W. was issued against the accused by an order dated 04/02/2020. Since then, the accused is absconding. The accused has been willfully prolonging the matter.

3. Heard both sides. Both sides submitted as per their application and say respectively.

4. Perused the record and roznama.

5. On perusal of the record, it is observed that a copy of interim order granting ad-interim bail to accused No.1 dated 31/01/2019 by Hon'ble Additional Sessions Judge, Ahmednagar is at document No.18 filed along with the list in the charge-sheet. There is also certified true copy of Exh.1 of Criminal Miscellaneous Application No.244/2019 before the Hon'ble Court of Sessions, Dist. Ahmednagar along with the final order dated 28/02/2019 at Exh.21. On perusal of the order of the Hon'ble Additional

Sessions Judge, Ahmednagar dated 28/02/2019 at Exh.21, it is observed that the anticipatory bail application of accused No.1 was allowed and the interim protection was confirmed. Hence, the say of the Ld. A.P.P is not worthy for rejecting the bail application on this ground. Further, as per Exh.1 (charge-sheet), it is clearly mentioned that accused No.1 was released on bail after nominal arrest.

6. The accused already got his N.B.W. cancelled by this Court and the Court imposed penalty of Rs.500/-. Hence, there is no point in declining bail as the investigation is over and the charge-sheet is filed against accused No.1. Bail is rule and jail is an exception. Moreover, the accused has himself come to the Court which shows his conduct. Already Hon'ble Court of Sessions, Ahmednagar has granted anticipatory bail to the accused. Hence, I pass the following order:

ORDER

1. The bail application below Exh.20 is allowed.
2. Accused No.1, Hanu Namdeo Mane is enlarged on bail on him executing Personal Recognizance Bond of Rs. 15,000/- (Rupees Fifteen Thousand) and surety of like amount.
3. Accused No.1, Hanu Namdeo Mane shall not hamper or tamper prosecution witnesses.
4. Accused No.1, Hanu Namdeo Mane shall not commit or be a part of any other offence.
5. Accused No.1, Hanu Namdeo Mane shall appear in the Court on each and every date of R.C.C. No. 339/2019.

Date : 07/01/2025.

(Rohan Vijaykumar Thayil)
Judicial Magistrate, First Class,
Karjat, Dist.Ahmednagar.
(Court No.2)