

S.T No.12/2022
Ganesh Chopade X State
CNR No.MHBU04000220-2022

ORDER BELOW EXH.3

(Passed on 21/04/2022)

1. In Crime No.657/2021 registered with Shivaji Nagar Police station for the offence punishable under Sections 306, 498-(A), 34 of IPC, the present application is filed under section 439 of Cr.P.C., for seeking regular bail. Applicant is in jail since 28/10/2021. The charge-sheet is filed. Heard, learned Advocate for applicant/accused, perused the say of I.O. Heard learned APP for prosecution.

2. It is submitted on behalf of the applicant/accused that a false report is lodged against him. He is doing labour work. The victim and present applicant/accused married prior to ten years and are having a son and a daughter. There is no one to look after them. It is the second marriage of victim. She is in habit of quarreling and so by her own she has committed suicide. The applicant is not responsible for the same. Hence, claimed for his release on bail and ready to abide all the conditions.

3. APP has submitted that, the offence is serious. The statement of witnesses shows the involvement of this accused. After his released he may commit other offence and may cause trouble to the witnesses.

4. Considering the nature of the offence and on perusal of charge-sheet it seems that the serious offence is registered against him. The witnesses had stated about continuous causing of ill-treatment to victim on various grounds since long and about his illicit

relationship with other women. Moreover, the dead body of the deceased was found on the railway track and in the same day morning itself she has lodged the report against him about causing various ill treatment, the document for the same was also found along with her body.

5. Considering all these aspects it is clear that though the investigation is completed and other accused are released on bail, the ground of parity cannot be applied here as considering the role of this accused, he is the main culprit. The death of victim was caused due to extreme torture and ill treatment by him as per the statement of witnesses, therefore, considering the gravity and seriousness of offence and as per say of APP it will not be proper to release him on bail. Earlier also his bail application was rejected after filing of charge-sheet. There is no changing circumstance to entertain this subsequent application. Hence, the following order:

ORDER

- 1] Application Exh.1 is rejected.
- 2] Inform to concerned police station accordingly.

Date : 21.04.2022.

(P.S. Kale)
Addl. Sessions Judge,
Khamgaon, Dist. Buldana.

Certificate

I affirm that the contents of this P.D.F. file order are same, word for word as per original order.

Name of Steno	:	Bhoite
Name of Court	:	Addl. Sessions Judge, Khamgaon.
Dictated on	:	21.04.2022.
Uploaded on	:	22.04.2022.