



**ORDER BELOW Exh.02 BAIL APPLICATION FILED UNDER
SECTION 439 OF THE CR.PC.**

(Passed on 21.06.2024)

1. Accused **Atul Haridas Manke** has filed this application for bail under Section 439 of the Code of Criminal Procedure (the Code). It is first bail application filed by accused after charge sheet. Reply of State is called. It is at overleaf.
2. This case is based on **Crime No.155/2023** registered with Shivaji Nagar Police Station for the offences punishable under Sections 379, 411, 413 r/w 34 of the IPC. The accused is arrested on 17.08.2023. After initial police custody he is remanded to judicial custody. Charge sheet is filed on 17.01.2024 and the case is committed on 04.03.2024.
3. I have heard advocate Mr.D.R.Wadhwani for the accused and APP Mr.S.B.Ingle for the State.
4. Advocate for the accused submits that, motorcycles are recovered. Physical custody of the accused is not necessary. Remaining accused are on bail. Hence, bail may be granted. APP submits that there is a racket of theft of motorcycles. Accused is king pin of said racket. Hence, bail may not be granted.
5. I have gone through charge sheet. Motorcycles worth Rs.1,40,000/- are seized from the accused. There is no possibility of further recovery on part of this accused. Reply of State does not



show any previous criminal antecedent of the accused. The accused is resident of Nagpur. In such circumstances no purpose will be served by keeping him behind bars. Considering facts and circumstances of the present case and punishment attached to alleged offences physical custody of the accused is completely unnecessary. Grounds are satisfactory. Hence, order.

ORDER

1. Application is allowed.
2. Accused **Atul Haridas Manke** be released on bail on his executing PB & SB of Rs.25,000/- with one or more surety in like amount.
3. The accused shall attend each date of hearing

Dt. 21.06.2024

(Prasad P. Kulkarni)
Additional Sessions Judge,
Khamgaon

Certificate

I affirm that the contents of this P.D.F. file is correct,
word to word as per original order.

Name of Court : Addl. Sessions Judge, Khamgaon, Dist.Buldana.

Name of Steno : Govinda D.Bhoyte (Stenographer Grade-III)

Dictated on : 21.06.2024

Checked & Signed on : 21.06.2024

Decided on : 21.06.2024

Uploaded on : 21.06.2024