

Sessions Case No.87/2018

The State of Maharashtra

-versus-

Piyu Popat Dawalse etc.3

(Mahendra Madhavrao Devre---applicant.

Order Below Exh.27

Accused/applicant has sought relaxation of the condition of bail by filing this application. While granting bail this court has prohibited the accused from entering in village Mukti. He seeks relaxation of this condition. He is ready to abide by conditions of bail and further conditions likely to be imposed by this court while granting this application.

02. Ld. APP has strongly opposed the application. Original informant has also opposed the application.

03. Heard both sides. Ld. Advocate for the accused Shri.M.S.Patil has submitted that trial may take some time. Accused is labour. His family resides in village Mukti. He will not tamper the witnesses in any manner. He is ready to give daily attendance to police out post Mukti. Per contra, Ld. APP has submitted that there is possibility of threatening the informant and other witnesses. Trial is not commenced yet. First informant in his say has submitted that there is no change in circumstances to warrant relaxation of condition since bail has been granted after filing of chargesheet.

04. No doubt, this court granted bail to the applicant on 18-09-2018 after filing of chargesheet and committal of case. Bail has been granted considering his role as described in the police case.

Almost one year has lapsed since passing of the bail order. Accused submits that his family resides in village Mukti and it is easy for his to get labour work there since it is a big village. Police out post is situated there. So while allowing the application condition of attendance can be imposed to keep check on the accused. In the result, I pass following order.

ORDER

01. Order No.4 in order below Exh.9 dated 18-09-2018 stands canceled.
02. Accused Mahendra Madhavrao Devre is permitted to reside in village Mukti.
03. He shall give attendance in Mukti Police Out Post on every Monday, Wednesday and Friday between 9-00 am and 10-00am till conclusion of trial.
04. Inform concerned police station accordingly.

Sd/-

[A.D.Kshirsagar]

Addl. Sessions Judge, Dhule.

Date:-20-08-2019

Certificate

I certify that the contents of this PDF file
are word to word as per Original Judgment/order.

Name of the Steno : Nandkishor E.Kolhe
Name of the Court : Court of District Judge-3
& Addl. Sessions Judge, Dhule.
PDF Uploading Date : 20-08-2019.

Sd/-...
Stenographer