

ORDER PASSED BELOW EXH. 979 IN S. C. NO. 103 /2018**(State V/s. (i) Sandip @ Vikky Dilip Velis (Accused No.9)**

01. Applicant / Accused No. 9 has filed this **fourth** application seeking bail under Section 439 of the Code of Criminal Procedure in Crime No. 75 of 2018 registered with West-Deopur Police Station, District Dhule, for the offence punishable under Sections 143, 147, 148, 302, r/w 120-B, 307, 341, 201 r/w 149, of IPC, and Sections 37 (1) (3) / 135 of Bombay Police Act which is numbered as Sessions Case No. 103/2018 pending on the file of this Court.

02. The applicant has been arraigned as an accused in an offence of double murder. It is alleged by prosecution that applicant accused No. 9 along with other 12 accused persons have hatched a conspiracy to eliminate Raosaheb Patil and his son Vaibhav Patil and the duo has been killed on a public street in a broad day light. Applicant was arrested in June-2018 i.e. around seven hours and two months back. In the due course charge-sheet has been filed and the matter is pending. Regular Bail Applications filed by applicant were rejected up to Hon'ble Supreme Court.

03. The applicant is claiming bail mainly on the ground that he is falsely implicated in the crime. He is not named in the FIR. The entire evidence of prosecution is over and there is no chance of tampering the evidence. There is delay of seven years in lodging the FIR. He is permanent resident of Dhule and possesses movable and immovable property in the City. He will not abscond if

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enlarged on bail. He is the bread earner in the family and all family members are dependent on him. He is ready to abide by every condition imposed by the Court while enlarging him on bail.

04. The prosecution opposed the application by filing reply through A.P.I. West Deopur Police Station at Exh. 982 on the ground that, as per memorandum statement of the applicant, the weapon used in the commission of offence is recovered and it is evidence against him. On 28/04/2020, the accused persons in the present case committed affray in the District Prison, Dhule. Crime No. 106/2020 p/u/s 160 of the IPC is registered against them in Dhule City Police Station and there is no improvement in their behaviour. There is possibility of abscondence of applicant if enlarged on bail. The Hon'ble High Court and Hon'ble Supreme Court have already rejected the bail applications submitted by the applicant. Thus, prayed for rejection of the application.

05. Informant filed reply at Exh. 984 and opposed the application on the ground that the application is not tenable. The applicant has not submitted the details of bail application and order passed thereon. On this ground only, the bail application is liable to be rejected. It is further submitted that on 21/05/2020 and 29/04/2023 the bail applications filed by the applicant vide Exh. 4, 108 and 500 have been rejected. The evidence in respect of the active participation of the applicant in the crime is come on record through the evidence of prosecution witnesses. As per the statement of applicant, motorcycle used in the commission of the

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offence, is seized in presence of panchas. From the CDR of cell phone of applicant, it shows that he was constantly in touch with some of the accused persons from 06/06/2018 to 10/06/2018. Thus, prima-facie he is past of conspiracy. The trial is at the fag end. Thus, prayed for rejection of application.

06. Heard both the sides. Perused record. Record shows that the bail applications of the applicant filed vide Exh. 4, 108 and 500 are rejected by this Court. Admittedly, the matter is posted for the cross examination of DW 2 since 31/05/2025. Record also shows that the matter was pending since 19/06/2025 for providing soft copies of CCTV Footage contained in Article 'B', 'C' and 'D' relied upon by the learned Advocate of accused No.11. On 11/08/2025 the report submitted by the Computer Section reveals that Hard disc in Article 'D' could not get repair even by private Computer Technician and therefore, its copy could not be provided to prosecution. Now, it is for the prosecution and defence to take further effective steps for completion of trial.

07. The Hon'ble Supreme Court vide order dated 25/07/2025 in Cri. Appeal No. 3288 of 2025 (arising out of SLP (Criminal) No. 8489/2025) in its inherent power has enlarged the accused Darshan Ambadas Pardeshi on bail subject to such terms and conditions that may be imposed by this court. Therefore, ground of parity is not available to the applicant. If the applicant is enlarged on bail at this stage, it will certainly create hurdles in the conclusion of the trial. In the case in hand, as per prosecution,

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there is direct evidence against the accused persons. The trial is at its fag end. It is likely to be completed within short period. Hence, I am of the opinion that, the applicant is not entitled for his release on bail in spite of his long incarceration. Resultantly, I pass the following order :-

ORDER

Application is rejected.

Dhule
Date: 14/08/2025

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(Jayshri R. Pulate)
Additional Sessions Judge-4,
Dhule.