

ORDER BELOW EXH. 07 IN SESSIONS CASE NO.199/2022.

Present application is filed by accused No.2 Mangesh @ Nagraj Dashrath More@Naik (Bhil) to release him on bail. On perusal of record it appears that, accused was arrested 09/01/2016 and was released on bail in 09/03/2016. As he failed to appear before the Court, N.B.W. was issued against him on 14/09/2016. Thereafter on 27/09/2016 accused appeared before the Court and prayed to cancel the warrant. Accordingly warrant was cancelled. However, thereafter again he remained absent. Court, N.B.W. was issued against him on 26/07/2019. Thereafter on 05/09/2014 accused was produced by police station in N.B.W. On 05/09/2024 he was taken in M.C.R. and since then he is in custody.

2] Now the present application is filed by the accused on the ground that his wife is pregnant and she is likely to deliver child, hence she needs her husband to take of her. It is urged on his behalf that he is the only earning member of his family and the family is facing starvation as the bread earner of the family is behind the bar. He is ready to abide by the terms and conditions imposed by the Court.

3] Although the State has raised strong objection it is clear from record that charge-sheet is already filed by police. There is no recovery or discovery at the hands of accused. He is behind the bar since 05/09/2024. The matter is not likely to be taken up in near future. No purpose would be served by keeping him behind the bar for indefinite period. Hence order;

ORDER

- 1] The application is allowed.
- 2] The applicant Mangesh @ Nagraj Dashrath More@Naik (Bhil) is released on bail for the offence punishable under sections 459, 380, 460, 411, 201 r/w. 34 of I.P.C. in C.R. No.122/2015 registered with Mohadi Nagar Police Station, on P.R. Bond of Rs. 25,000/- with one local surety in like amount, on the following conditions :-
 - a) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court.
 - b) The applicant shall not tamper with the evidence.
 - c) The applicant shall not leave India without permission of the Court.
 - d) The applicant shall not change his residential address without prior intimation to the Investigation Officer and to the Court.
- 3] A soft copy of this order be sent to accused Mangesh @ Nagraj Dashrath More@Naik (Bhil) by E-mail through the Superintendent of Jail, Dhule in view of directions of Hon'ble Supreme Court in Suo Moto W.P (Cri) No. 4/2021 (SC) dated 03.01.2023.

Date: 05/10/2024.

(Yasmin G. Deshmukh)
Addl. Sessions Judge, Dhule.

Certificate

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

Name of the Steno : T.R.Pankhedkar.
Name of the Court : Court of District Judge-3 & Addl. Sessions Judge, Dhule.
PDF Uploading Date : 05-10-2024.

Sd/-...
Stenographer(Gr-I).