

**IN THE COURT OF DISTRICT JUDGE-1 & ASJ, GONDIA.**

**SESSIONS TRIAL NO.45/2020.**

**STATE OF MAH.-VRS- RAHUL NANHET+1.**

**ORDER BELOW EXHS. 42 and 44.**

(Passed on this 10<sup>th</sup> day of May, 2021)

1] These are the applications for releasing the accused **Rahul S/o. Ramu Nanhet** on temporary bail in view of the directions of the Hon'ble Supreme Court due to COVID-19 pandemic situation.

2] Considering the directions given by the Hon'ble Supreme Court in **Suo Motu Writ Petition (C) No. 1/2020** dated 23/03/2020 the accused was released on interim bail for 45 days by order passed on 16/06/2020 by incharge Additional Sessions Judge Gondia. Subsequent thereto, after the period of temporary bail was over, the accused surrendered before the jail authority.

3] Due to surge of second wave of Covid-19 again similar situation has arisen and Hon'ble Apex Court in **Suo Motu Writ Petition No.(C) 1/2020** dated 07/05/2021 has made following observations in para No.11 of the judgment;-

**“Third due to the immediate concern of the raging pandemic, this court has to address the issue of de-congestion.**

We find merit in the submission of Mr. Colin Gonsalves, learned senior Counsel appearing on behalf of the applicant, that the High Powered Committee, in addition to considering fresh release, should forthwith release all the inmates who had been released earlier pursuant to our order 23/03/2020, by imposing appropriate conditions. Such an exercise is mandated in order to save valuable time.”

4] In view of the above referred directions of the Hon'ble Apex Court since the accused was released on temporary bail previously, I find that he is entitled to have benefit of the same order. Hence, I proceed to pass following order.

#### **ORDER.**

- 1] The applications are allowed.
- 2] Interim bail is granted for 45 days.
- 3] Accused **Rahul S/o. Ramu Nanhhet** be released on interim bail for 45 days on the following terms and conditions;-
  - i] He shall give attendance to the concerned police station after expiry of 30 days from the date of his release;
  - ii] He shall surrender before the Jail Authority Bhandara District Prison after expiry of 45 days from the date of release;

iii] In the meantime, he shall not indulge in the criminal activities;

iv] He shall not leave the jurisdiction of this Court;

v] He shall not tamper with the prosecution evidence in any manner;

vi] He be released on furnishing P.B. and S.B. of Rs.10,000/-.

4] Inform the Jail Authority forthwith.

Gondia.

Dated:- 10/05/2021.

(U. B. Shukla)

District Judge-1 & ASJ, **Gondia**.