



*(CNR NO.MHGO010005142024)*

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

**SPECIAL (ATRO.) CASE NO. 66/2024.**

**State, PSO, Dawaniwada -Vs- Jairam @ Manish+1**

**ORDER BELOW EXH. 04.**

(Passed on this 16<sup>th</sup> day of April, 2024)

This is an application filed by applicant/accused No.2 for grant of bail u/s 439 of Cr.P.C. The applicant/accused has not been arrested as he appeared on the notice under Sec. 41(A) of Cr.P.C. by Police Station, Dawaniwada in Crime No. 41/2024 for alleged offence punishable under Sec. 294, 323, 506, 34 of IPC and Sec. 3(1)(r), 3(2)(va) of SC & ST (Prevention of Atrocities) Act.

2] Learned Advocate for the applicant submits that the investigating officer, in compliance of the directions given in the case of *Arneshkumar -Vs - CID* and the case of *Satyenderkumar Antil*, did not felt it necessary to arrest the accused person as he complied with the notice under Sec. 41(A) of Cr.P.C. Charge-sheet is filed. Custody of the applicant is not necessary. He has prayed for grant of bail.

3] Ld. APP Shri. Khandelwal has opposed the application on the ground that the offence is grievous under Atrocities Act. He has prayed for rejection of the application.

4] Perusal of the charge-sheet shows that the offence alleged is under Sec. Sec. Sec. 294, 323, 506, 34 of IPC and the sections of SC & ST (Prevention of Atrocities) Act. It further reveals that no recoveries are to be made and custodial interrogation is not necessary. As per the directions in the case of *SatyenderKumar Antil*, if charge-sheet is filed without arrest, bail has to be granted. Hence, I pass following order.

### **ORDER**

- 1] Application [Exh.04] is allowed.
- 2] The applicants/accused **No.2 Bablu @ Tilakchand Sewaiwar** be released on bail in Crime No. 41/2024 with Police Station, Dawaniwada on his executing PR bond of Rs.25,000/- and furnish one surety of Rs.15,000/- on the following conditions;
  - i] The applicant shall not threaten or influence the witnesses.
  - ii] The applicant shall attend the trial regularly.
- 3] Application is disposed of.

Gondia.  
Dated: 16.04.2024.

Sd/-\*  
(Adil M. Khan)  
District Judge-1 & ASJ,  
**Gondia.**