



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

SPECIAL (MCOCA) CASE No. 41/2022.
(CNR NO.MHGO010006472022)

State, PSO, Deori -Vs- Ajay @ Fauji & oth.

ORDER BELOW EXH. 156.
(Passed on this 18th day of July, 2025)

Seen application.

2. This is first bail application moved under Sec. 439 of Cr.PC. by applicant/accused **No. 13 Sandeep Roshan Pal** claiming regular bail in connection with Crime No. 249/2021 registered with Police Station, Deori for offence punishable under Sec. 395, 341, 342, 365, 323 of IPC along with Sec. 3(1)(i)(ii), 3(2) & 3(4) of MCOC Act, 1999.

3. I.O. has filed reply at Exh. 158 and has opposed the present bail application.

4. Pursuant to the production warrant dated 07/12/2021 applicant was produced before this Court from Bulandshar prison. Accordingly, applicant was produced on 17/12/2021. He was remanded to PCR till 27/12/2021. PCR was further extended till 04/01/2022.

5. Thereafter, applicant is was remanded to MCR. Since, applicant/accused was facing another trial at BulandShahar in another crime, he was handed over to District Prison, Bulandshahar as per order dated 04/01/2022. Thereafter, on 13/06/2025, applicant/accsued was produced before court from Bulandshahar in as much as applicant/accsued was released from the said crime. Now the applicant/accused is in District Prison, Bhandara.

6. During the course of hearing of this application Exh.194 & Exh.195 are filed. It is to be noted application Exh. 194 reply is not filed yet. However, reply is filed to application Exh.195. Further, application Exh.235 was also filed by another accused and that reply is filed to the said application. As such, together with this application, application Exh.195 and 235 are heard finally.

7. Heard learned advocate for applicant and learned DGP.

8. In a nutshell it is the prosecution's case that on 26.10.2021 at 7:30 p.m. within the jurisdiction of Deori Police Station, Gondia, the informant Arjunsing Natuba Jadeja, aged 35 years, R/o Satalpur, Distt. Patan, Gujarat was coming from Raipur and that he was going to Nagpur in Scorpio vehicle bearing registration No. KA-05/MY-2215.

9. It is submitted that the informant when reached Masulkasa Ghat, some 8 to 10 unknown persons stopped his vehicle by surrounding it using three vehicles. Those persons assaulted the informant and snatched Rs. 35,000/- from the said informant. On the report of the informant crime No. 249/2021 for the offences punishable under sections 395, 341, 342, 365, 323 of the IPC was registered with Deori Police Station and investigation started on 27.10.2021.

10. During the investigation, the owner of the vehicle informed that Rs. 3,76,00,000/- was kept in the Scorpio vehicle and that the said cash has been robbed from the Scorpio by the accused persons. Some of the accused were arrested on 03.11.2021 and money was recovered from them. On 12.11.2021 two accused were arrested and money was recovered from them.

11. IO came to the conclusion that all the accused had formed Organized Crime Syndicate and they had committed number of other offences which included murder, kidnapping, extortion, robbery, Arms Act and other sections of IPC and other Laws. On the report of Police Inspector Singanjude, the provisions of MCOC Act were invoked by the Deputy Inspector General of Police, Gadchiroli Range, Camp at Nagpur. Charge-sheet is filed against all the accused for the offence punishable under Sec. 395, 341, 342, 365, 323,

120(B), 412 of I.P.C. and 3(1)(ii), 3(2), 3(4), 3(5) of MCOG Act.

12. During course of argument, learned advocate for the applicant has filed written notes of argument vide Exh.162. Similarly, he has also filed pursis vide Exh.249 stating that applicant is similarly situated and is on better footing than applicant of Exh.64 and Exh.175.

13. However, in the said written notes applicant has not disputed contention urged by I.O. that present applicant is seen at Bombay – Kolkatta Dhaba, Tendesara NH No.6 Dist. Durg (CG). This place is very near from the spot of incident. Applicant's presence is also seen at CCTV footage of 23/10/2021. Similarly, applicant is seen at Shende Lodge, Dongargadh, Dist. Rajnandgaon in CCTV footage of 24/10/2021. Further, accused No.2 Vikram @ Raju Thakore in his confessional statement has implicated the present applicant. Therefore, it cannot be said that applicant is on better footing than applicants of Exh.64 & 175.

14. That apart, in view of para No.4 & 5 of this application which are undisputed at the end of present applicant. It is to be noted that applicant has not demonstrated that delay of trial has occurred due to no fault on part of the present applicant. In fact, applicant was facing

another trial at Bulandshahar and was in prison at Bulandshahara.

15. Such being the situation, the applicant has not made out case for grant of bail. Hence, the following order.

ORDER

Application Exh.156 is hereby rejected.

Gondia.
Dated: 18.07.2025.

(A. S. Pratinidhi)
District Judge-1 & ASJ,
Gondia.

Dictated and transcribed on dais computer	:	17/07/2025
Checked by the Judge	:	18/07/2025
Finally printed and signed by the Judge	:	18/07/2025