



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

SPL. (MCOCA) CASE NO. 41/2022.
(CNR NO.MHGO01000647-2022)

State -Vs- Ajay @ Fauji Kumar & oth.

ORDER BELOW EXH. 57.
(Passed on this 10th day of February, 2023)

This is an application filed by applicant/accused No.4 Manish Pawar s/o Amarpal Singh for grant of temporary bail for a period of one month.

2] The applicant has been implicated in the present case for the offence punishable under Sec. 395, 341, 342, 365, 323, 120(B), 412 of IPC, Sec. 3 r/w 25 of the Arms Act and Sec. 3(1)(ii), 3(2), 3(4), 3(5) of the MCOC Act.

3] Learned Advocate for the applicant Shri M. A. Shaikh submits that the applicant is in custody since more than one year. Only Rs.50,000/- and one mobile has been recovered from the applicant. The applicant is only 19 years of age. He is permanent resident of Avas-Vikas Colony, Barut,

Dist. Bagpat (UP). He has been made a scapegoat. He further submits that there is marriage of his younger sister on 16/02/2023. The applicant is only member in his family to arrange the marriage programme. There is nobody other members to arrange the said function. He has prayed for grant of temporary bail for one month. In support thereof he has placed on record copy of marriage card along with list of document Exh.58.

4] I.O. has filed reply at Exh. 65 and has opposed the application on the ground that the offence is grievous. He submits that a Verna vehicle and Rs.25/- lakhs of loot amount belonging to Vikram (co-accused) was also seized along with a mobile and other petty cash. There is active role of the applicant and he has anticipated in the actual commission offence and was present along with other co-accused. The applicant belongs to another State and may abscond.

5] I.O. and learned APP further submits that the father of the applicant is in Delhi police and he can look after the marriage of the sister of applicant. The offence is grievous. There is active role of the applicant in the said crime. There are every chances of his absconding. They have prayed for rejection of the application.

6] Perused the charge-sheet. The offence is grievous. The dacoity was of huge amount of more than Rs.3/- crores. Since there is father of the applicant who is in police service with Delhi Police, he is capable to manage the affairs of marriage of the sister of applicant. No ground is made for grant of temporary bail. Hence, I pass the following order.

ORDER

- 1] Application [Exh.57] is hereby rejected.
- 2] Application is disposed of.

Gondia.
Dated: 10.02.2023.

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