

MHJN010029322014



**Order Below Exh.274 in Sessions Case No.229/2014
(State Vs. Ganesh and others)**

1. Applicant-accused no.9 arrested in an offence registered against him by the Maujpuri Police Station in C.R. No.13/2014, of the offences punishable under Sections 395, 392, 412 of the Indian Penal Code and 3 and 4 of Indian Arms Act, has filed this application for bail.
2. Perused application and say filed by the prosecution.
3. Applicant-accused no.9 along with 13 others is alleged to have committed the offence of dacoity. The proceedings reveal that the alleged offence is of the year 2014. Applicant-accused no.9 was arrested on 11/03/2014. Thereafter, he was released on bail. As applicant-accused was absent since many dates, my learned predecessor was pleased to issue non-bailable warrant against the applicant-accused no.9 on 22/11/2022. The police have executed the non-bailable warrant and have arrested the applicant-accused no.9 on 01/04/2023. Since then applicant-accused is in jail.
4. As already stated above there are as many as 14 accused in this offence. Some of the accused are absconding and hence it

seems that the matter has not proceeded. Applicant-accused no.9 was attending the matter, however, he is absent since 28/02/2020.

5. Applicant-accused no.9 submits that he shall attend the Court regularly in future. He stopped coming to the Court as he had gone out of station for work. He submits that he be granted bail.

6. The learned APP objects the application on the ground that applicant-accused no.9 was absconding. He is involved in a serious offence. If applicant is released on bail then there is possibility of absconding. Also, there is possibility of tampering of evidence. His application be rejected.

7. In view of the fact that there are 14 accused and some of them are not attending the Court, it shall be unjust to detain the applicant-accused no.9 behind the bar. I am therefore of the opinion that applicant-accused no.9 should be granted bail. However, to ensure his attendance before the Court, certain conditions require to be imposed upon the applicant-accused no.9. Hence, the order.

ORDER

1. Application is allowed
2. Applicant/accused No.9 Pandhari @ Pandharinath Dnyanoba Gadekar, be released on executing bail bonds in the sum of Rs.50,000/- with one or two sureties of like amount or cash security of same

amount in connection with Cr. No.13/2014, registered with Maujpuri Police Station, on following conditions.

(a) Applicant/accused shall attend the Court on each and every date.

(b) Applicant/accused shall not tamper with the prosecution witnesses.

(c) Applicant/accused shall not leave jurisdiction of this Court, without prior permission.

(d) Intimate concerned police station, accordingly.

Date : 31/01/2024

Sd/-
(V.M.Mohite)
Sessions Judge,
Jalna.

CERTIFICATE

I affirm that the contents of the P.D.F. file is word to word as per the original judgment.

Name of Stenographer : A.P.Deshmukh,
Name of the Court : Principal District and Sessions
Court, Jalna.
Date : 01/02/2024

Sd/-
(A.P.Deshmukh)
Stenographer Grade-1