

Order below Exh.71

1) The present application is filed praying thereby to release the applicant/accused on bail. The present applicant/accused was absconded and charge-sheet U/sec.299 of the Code of Criminal Procedure was filed against him. On 13/10/2021 accused appeared suo-moto and therefore, he was taken into Magistrate custody till 27/10/2021 and he was released on interim bail till 20/10/2021. Say of AGP, IO and Station In-charge of Police Station Shivaji Nagar, Latur was called but on 20/10/2021 no say was filed and the station in-charge of police station have sought time to file say. Later-on say is filed on 08/11/2021 and the application was objected contending that, the weapon used in offence is to be recovered from the said accused.

2) Heard both sides.

3) Accused is in Magistrate custody since 13/10/2021 but till 20/10/2021 or even thereafter, till 27/10/2021 the IO or Station In-charge has not claimed his custody for any interrogation and thus I found no substance in the objection. IO and Station In-charge has also not objected on the ground of taking his identification parade. After going through the evidence recorded earlier the PW-2 deposed that he was assaulted by means of knife by other accused and thus there is no specific evidence against present applicant.

4) Since all other accused are on bail, the present accused who is in Magistrate custody since 13/10/2021 deserves to be released on bail and hence, order.

O R D E R

- 1) The accused be released on PB and SB of Rs.15,000/-.
- 2) The bail furnished earlier on 13/10/2021 be continued.

Date :- 11/11/2021.

(K. S. Totla)
Assistant Sessions Judge-3,
Latur.

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