

MHND010001572023 	<u>ORDER BELOW EXH.7 IN</u> <u>SPL. CASE NO.8/2023</u> <u>State of Maharashtra Vs. Laxman</u> <u>Metkar and others.</u>
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ORDER BELOW EXH.8**(Dt:12/02/2024)**

The applicant has applied for grant of regular bail under Section 439 of the Code of Criminal Procedure, 1973.

2- The applicant (accused No.2) **Dashrath S/o Gangaram Devkar** came to be arrested in connection with Crime No.216/2022 of Hadgaon Police Station, District Nanded for offences punishable under Sections 120-B, 394, 395, 397, 452, 506 of Indian Penal Code, Section 3(1)(ii), 3(2), 3(4) of Maharashtra Control of Organised Crime,1999.

3- Succinctly, levelling a variety of allegations and narrating the sequence of events, in all, the contents of FIR disclose that on 17/07/2022 the unknown persons committed house trespass, then held the informant's family members hostages and committed dacoity of ornaments worth Rs.31 Lakhs and thereby committed an offence punishable under Sections 120-B, 394, 395, 397, 452, 506 of Indian Penal Code, Sections 3(1)(ii), 3(2), 3(4) of Maharashtra Control of Organised Crime,1999

4- The applicant has prayed to release them on bail on following grounds :-

- A) The applicant is falsely implicated in the case.
- B) The applicant is permanent resident of District Nanded, Maharashtra State.
- C) The applicant is sole earning member of his family.
- D) The applicant is ready to abide by any condition of bail.

5- The investigating officer has filed say (Exh.10) and contended that applicant has committed serious offence, the applicant will tamper the prosecution witnesses and he will not cooperate with the process of law, therefore, the bail application be rejected.

6- After hearing Learned Counsels for both the sides and going through the record with their valuable assistance and after considering the matter deeply, the applicant has committed dacoity after house trespass. In the say it is specifically mentioned that the applicant is head of the Organised Crime Syndicate, there are 10 offences registered against him, they have committed organised crime, they are identified by the eye witness and police has recovered ornaments worth Rs.15,31,624/- from the applicant and his associates. The accusation against the applicant is well founded. The applicant has failed to establish that there are reasonable grounds for believing that he is not guilty of any of the offences and that he is not likely to commit any offence while on bail. Taking into consideration the totality of the facts and circumstance emanating from the record, the nature and gravity of the accusation, the reasons discussed herein above and without commenting further anything on merits, *lest* it may prejudice the case of either sides during the course of trial, applicant is not entitled for bail. Hence, following order.

ORDER

The bail application(Exh.8) is dismissed and disposed off.

Sd/-

Date :-12/02/2024

(C.V.Marathe)
Addl. Sessions Judge,Nanded.

CERTIFICATE

I affirm that the contents of this P.D.F. file order are same word to word, as per the original order.

1. Name of the Stenographer:- Mr. V.G.Dandare, Steno (L.G.)
2. Court Name :- Court of District Judge-2 and
Addl. Sessions Judge, Nanded
3. Date of Order :- 12/02/2024
4. Order signed by the
Presiding Officer on :- 12/02/2024
5. Order uploaded on :- 12/02/2024