



R.C.C./227/2024

State of Maharashtra Vs. Mandar Aniruddha Kolte and 16

ORDER BELOW EXH.1

1. The present case came to be instituted and registered on 15.01.2024 for offences punishable under Sections 420, 406, 419, 467, 468, 471, 171, 120-B of the Indian Penal Code. During the course of investigation **Accused No.1 Mandar Kolte came to be arrested on 16.10.2023. Accused No.3 Suraj Dey came to be arrested on 18.10.2023. Accused No.5 Mohammad Jawad Bora came to be arrested on 02.01.2024.** Thereafter, recently one more **Accused No.12** namely Rahul Gaikwad came to be arrested on 07.03.2026. All these Accused are lodged in Central Jail, Nagpur.

2. The case is pending for framing of charge and appearance of other accused. In the intervening time till date various discharge applications also came to be filed. This court has rejected bail applications of aforesaid accused and they are behind the bars since their arrest waiting for trial to begin. Except for the aforesaid accused, other **Accused No.2** namely **Mangesh Patekar, Accused No.4 Alpesh Patel, Accused No.9 Dinesh Mishra, Accused No.7 Raju Mandal, Accused No.8 Karan Rajora** are enjoying their liberty and are out on bail. Needless to say that, the accused behind the bar, have the right to a speedy trial, being a fundamental, constitutional guarantee that ensures criminal cases are resolved without unreasonable delay, protecting the accused's life and liberty as cherished under Article 21 of the Constitution

of India. Repeated absence of the accused out on bail is encroaching upon the fundamental right of these UTP's. This cannot be accepted at any cost.

3. All the accused are therefore directed to remain present on each date till charges are framed. No exemption from personal appearance will be entertained by this court. If the Accused fails to remain present, this court would be constrained to curtail liberties of the accused on bail. Be noted.

Place : Nagpur.
Date : 17/04/2026

(Kaustubh Nagesh Marathe)
Judicial Magistrate, F.C. Nagpur.
Court No.1



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ORDER BELOW EXH.131

By the present application, the accused No.5 Mohammad Jawad Bora has sought for handing over custody of vehicle bearing No.GJ-06-PF-8824 to his wife. Record reveal that, vide order dated 17.03.2026 the application for return of property came to be allowed and accused was directed to take into custody, the aforesaid vehicle on certain terms. Admittedly, the present accused lodged in jail hence, cannot take physical custody of the vehicle in question. There is merit in the present application therefore, the present application is allowed. Custody of the vehicle be handed over to applicant's wife Salma Mohammad Jawad Bora after necessary verification. She is further directed to file undertaking before the court as directed in order dated 17.03.2026. Copy of her identity card and documents relating to her relationship with Accused Mohammad Jawad Bora be placed on record.

Place : Nagpur.
Date : 17/04/2026

(Kaustubh Nagesh Marathe)
Judicial Magistrate, F.C. Nagpur.
Court No.1



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ORDER BELOW EXH.132

1. By the present application, the Accused No.9 Dinesh Mishra has sought exemption from personal appearance.
2. Perusal of record reveal that, this court vide its order dated 04.04.2026, issued warrant against Accused No.4 Alpesh Patel, accused No.2 Mangesh Patekar, Accused No.7 Raju Mandal and accused No.8 Karan Rajora. The matter is pending for framing of charge since many dates. Today, No.4 Alpesh Patel, accused No.2 Mangesh Patekar are present before the court and Accused No.2 has cancelled their warrant. Accused No.1 Mandal Kolte, accused No.3 Suraj Dey, accused No.5 Mohammad Jawad Bora are not produced before the court by jail authority. Accordingly, all the accused except Dinesh Mishra, Raju Mandal, Karan Rajora are present before the court.
3. In spite of specific directions accused have chosen not to remain present. On the last occasion the accused Dinesh Mishra cancelled his NBW and again failed to remain present today. Needless to say that, due to absence of all these accused, charges cannot be framed and the trial could not proceed. Hence, issue NBW against accused No.9 Dinesh Mishra, accused No.7 Raju Mandal and accused No.8 Karan Rajora. Resultantly, application below Exh.132 is hereby rejected. **S.O. to 27.04.2026.**

Place : Nagpur.
Date : 17/04/2026

(Kaustubh Nagesh Marathe)
Judicial Magistrate, F.C. Nagpur.
Court No.1