

IN THE COURT OF ADDITIONAL SESSIONS JUDGE-6, NASHIK.
(Presided over by I/c. Shri. M. I. Lokwani)

ORDER BELOW EXH.17 IN SESSIONS CASE NO. 25 OF 2025
(CNR NO. MHNS010004372025)

Rohidas Ramdas Wagh

... Applicant/Accused no.4

Versus

The State of Maharashtra

Through - P. I., Indira Nagar Police Station,
(Crime No. 298/2024)

... Respondent/State

Appearance :

Ld. Adv. Mangal S.Pawar/Barve for the Applicant/Accused.

Ld. APP Shri. V.R.Gaikwad for the Respondent/State.

ORDER BELOW EXH. NO.17
(Delivered on 17th April, 2025)

1. This is an application filed by the applicant/accused no.4 **Rohit Ramdas Wagh** for interim bail/temporary bail for the purpose of marriage of his sister in Crime no. 298 of 2024 registered with Indira Nagar Police Station for the offence punishable under Sections 103(2), 189(2), 191(2)(3), 190 of Bharatiya Nagarik Sanhita and under section 135 of the Maharashtra Police Act.

2. Learned advocate for the applicant/accused no.4 submitted that trial yet not commenced and to decide the trial on merit, it will take considerable time. There is a marriage of applicant's sister on 20.04.2025 and for that purpose, applicant seeks interim bail/temporary bail for 8 to 15 days to attend all functions of the said marriage. In support of that, applicant has annexed marriage invitation card. The father of applicant is suffering from illness and brother of applicant is doing labour work. Applicant is ready to abide any terms & condition imposed by this court. Lastly, prayed for allow the application.

3. On the other hand, learned APP raised strong objection in view of pursis at Exh.20, reply at Exh.21 and submitted that offence under section 103 (2) deals with murder. In present crime, there is commission of offence by a group of 4 to 5 persons wherein applicant is one of them. In the said offence having punishment of death or imprisonment is life with fine. If applicant is released on temporary bail/interim bail there is possibility of pressurizing the witnesses which may affect the prosecution case. There is also possibility to commit serious crime. Applicant and co-accused committed brutal murder. Hence, prayed for rejection of the application.

4. Considering the submissions of both sides, it appears that applicant is involved in Crime no. 298 of 2024 registered with Indira Nagar Police Station for the offence punishable under Sections 103(2), 189(2), 191(2)(3), 190 of Bharatiya Nagarik Sanhita and under section 135 of the Maharashtra Police Act. The applicant and co-accused are charged with murder by group of 4 to 5 persons and applicant is one of them. Therefore, offence relating to murder is serious in nature. It is

submitted by the advocate of intervenor that earlier bail application of the applicant is already rejected by the court on merits. Learned APP raised strong objections by submitting that there is possibility to flee from justice or abscond if interim bail granted to the applicant. It is also submitted that applicant seems to evade custody under the garb of marriage of his sister. Considering the record, it appears that it is matter of record that charge-sheet is submitted in the court. It is a matter of record that the applicant is registered with crime like murder. It is also the matter of record that earlier bail application of the applicant is already rejected on merits. The interim bail application is filed on the ground to attend the marriage of applicant's sister. If one go through the prosecution case, it appears that murder is committed with the help of dangerous weapons like sickle, knives and other weapons which were seized at the instance of co-accused Yash Vijay Donde and Durgesh Dipak Shardul. Considering the gravity of offence, it appears that granting interim bail for the marriage of applicant's sister may pose a threat to public safety when the applicant is facing criminal charges like murder. Keeping the applicant in custody ensures that any potential risk are mitigated while he attend the said marriage. Allowing interim bail for the said purpose, raises concerns about the applicants potential to flee from justice. On the basis of marriage invitation card, this court is of opinion that applicant's father and brother are available who can perform marriage rituals of the applicant's sister and for that purpose no case for grant of interim bail to applicant is made out. Therefore, balancing in the interest of justice and public safety as well as the marriage of applicant's sister, this court is not inclined to grant application for interim bail filed by the applicant. In view of the aforesaid discussions and reasons and considering the gravity of offence

and considering the availability of applicant's brother and father for the marriage of applicant's sister, this court proceed to pass the following order :-

ORDER

1. Application Exh.17 filed by the applicant Rohit Ramdas Wagh for for interim/temporary bail in connection with crime no. 298/2024 registered with Indira Nagar Police Station for the offences punishable under Sections 103(2), 189(2), 191(2)(3), 190 of Bharatiya Nagarik Sanhita and under section 135 of the Maharashtra Police Act., is hereby **rejected**.
2. Application Exh.17 is disposed off accordingly.

(Dictated and pronounced in open Court.)

Date : 17.04.2025

sd/xxx
I/c. **(M. I. Lokwani)**
Additional Sessions Judge-6, Nashik.