

Sessions Case No.639/2015
(CNR No. : MHPU01-011725-2015)

State of Maharashtra
Vs.
Rajendra Wadghare & Ors.

ORDER BELOW EXH. 136

1] This is an application by applicant/accused No.1 Rajendra @ Raju Kashinath Wadghare for Temporary Bail under Section 439 of Code of Criminal Procedure in respect of Crime No.81/2015, registered under Section 395 of Indian Penal Code, at Police Station, Hinjwadi, Pune.

2] Advocate for applicant/accused submits that, applicant is behind the bars since 02/07/2015. Trial is proceeded in the matter and substantial evidence has been recorded. Evidence of two-three witnesses is to be recorded for conclusion; but due to pandemic the trial could not be continued. In such scenario, there is possibility of delay in trial. The learned Predecessor has granted temporary bail to co-accused Mandar Chorge. The role of present applicant is identical with the co-accused. Applicant is ready to abide by all the conditions. He is resident of Pune. He will not abscond. As such, he prays for grant of temporary bail.

3] Learned APP Mr.Javed Khan appeared for State and filed his say below Exh.137 to the application. He submits that, prosecution has examined 12 witnesses in this matter. Trial is at final stage. Co-accused are still absconded. If the applicant is

released on bail, he may abscond and tamper the evidence. Therefore, he prays for rejection of the application.

4] Heard learned advocate Mr.Ahiwale for applicant/accused and learned APP Mr.Javed Khan for the State. Perused the temporary bail application and Papers.

5] The allegations against applicant and co-accused are about committing decoity by snatching the bag of money from informant. The role of co-accused Mandar Chorge is alleged to be similar to the present applicant. The learned Predecessor has granted temporary bail to co-accused Mandar considering the probable delay in trial due to surge of Pandemic Covid-19. The similar is the situation with the applicant. Applicant is also behind the bars since 2015. The trial may take its own time. Till then, if the applicant is released on temporary bail by putting necessary conditions, the purpose will be served. Hence, the following order.

ORDER

1] The application is allowed.

2] The applicant/accused No.1 Rajendra @ Raju Kashinath Wadghare be released on temporary bail for initial period of forty-five (45) days from the date of passing of this order on executing P.R. bond of Rs.30,000/- (Rupees Thirty Thousand only) in Crime No.81/2015, registered under Section 395 of Indian Penal Code, at Police Station, Hinjwadi, Pune, on the following terms and conditions.

[i] Applicant to attend Police Station, Hinjwadi, Pune or to the police station within whose jurisdiction he resides on every 15 days.

- [ii] Applicant should not contact witnesses and should not tamper the evidence in the matter.
- [iii] Applicant to provide proof of his permanent address and contact details to the concerned police station.
- [iv] Applicant should not abscond and should co-operate to Jail and Police authority fully.
- [v] Applicant should fully follow the guidelines issued by State Government for avoiding spread of Covid-19.
- [vi] On completion of the bail period, applicant to surrender before the Court immediately.
- [vii] The present bail order will be extended in blocks of 30 days till the State Government withdraws the Notification under The Epidemic Diseases Act, 1897 and Lock-down is lifted or further guidelines are issued by the Hon'ble High Power Committee, High Court, Bombay whichever is earlier.
- [viii] Applicant should not indulge into any crime.

3] Intimate to the concerned Police Station.

4] Intimate to the concerned Jail authority for accepting the P.R. Bond of Rs. 30,000/- from the applicant/accused and his address and contact details and submit it forthwith to this court.

Pune.
Date : 01/06/2021.

sd/-xxx
[Smt. A. V. Rotte]
Additional Sessions Judge,Pune

C E R T I F I C A T E

I affirm that the contents of this P. D. F. file Order are same word for word as per original Order.

Name of the Court :- Smt. A. V. Rotte,
District Judge –3 and
Additional Sessions Judge, Pune

Name of the Steno :- Shri. D. L. Gudde
Stenographer (Grade-I)

Date of Order :- 01/06/2021

Order signed by
presiding officer :- 01/06/2021

Order uploaded on :- 01/06/2021.