

ORDER BELOW EXH 24
(Dated 22.04.2025)

This application is filed under Section 483 of BNSS by applicant/accused Ritesh Bhimrao Gaikwad in C.R.No. 725/2024 registered with Daund Police station for the offences punishable under Section 310(2) of BNS.

2] Perused application, say filed by I.O and documents produced by both the parties. Heard Advocate for accused and APP Smt. Naik.

3] The case of the prosecution is that on 27.09.2024 at about 1.00 a.m. near Sonwadi Railway bridge, within the vicinity of village Daund Narendrasing Tawar was driving Tata Truck No. RJ-23-GC-2507 and Subhashchand Mulchand Yadav was slept in the Cabin. At that time 5 unknown persons have stopped the truck by showing knife and robbed cash amount of Rs.56,000/- and Vivo Mobile. They had threatened and beaten them also. Subhashchanda Yadav has lodged report about the incident with Daund Police Station. On the basis of his report, CR No. 725/2024 came to be registered.

4] Advocate for applicant has argued that applicant is an innocent person. He is falsely implicated in the said offence. Applicant had not committed said offence. He is labour person. But investigating officer falsely involved his name. He has no any criminal antecedent. There is no recovery or discovery from the present applicant. The recovery is already completed. Therefore, no

custodial interrogation of the applicant is necessary. He is falsely implicated without identification parade. He is arrested on 25.02.2025. The investigation is completed. He is no way concern with the alleged offence but has been arrested by police machinery on the basis of suspicion. The applicant has no nexus with the alleged crime. He has not played any direct or indirect role in the offence. The FIR is false fabricated, coloured and ambiguous in nature. It is lodged on the basis of suspicion. The allegations made in the FIR are vague, baseless and without having any basis. The FIR is not genuine. The sections applied in the case are not attracted against the present applicant. The Hon'ble High Court has granted bail to accused viz. Aniket Labade and Babalu Kamble. The trial will take its own time. The applicant is not subject to any enquiry, recovery, discovery or identification as the investigation is completed. Therefore, applicant is entitled for conditional bail. He is ready to obey and bound by all the stringent conditions imposed upon him in the event of granting bail. He undertakes that he will not pressurise the prosecution witnesses. He is permanent resident of Bhimnagar, Daund. Therefore, he will not flee from justice. He will not leave jurisdiction of this Court without prior permission of the court. He is ready to furnish surety. Hence he be released on bail.

5] Learned APP argued that accused Nos. 1 and 3 are identified by the informant. If the application is allowed possibility of pressurising the informant and witnesses at the hands of

applicant cannot be rulled out. His presence for the trial cannot be secured. Hence application be rejected.

6] Perused FIR, charge-sheet and documents produced on record. Already charge has been framed. Applicant is resident of Daund therefore, his presence for the trial can be secured. The Hon'ble High Court has granted bail to accused Nos. 1 and 4 therefore, the present applicant is entitled for bail on the ground of parity also. Resultantly, I pass the following order.

ORDER

1] Application Exh. 24 is allowed.
2] The applicant Ritesh Bhimrao Gaikwad in connection with C.R. No.725/2024 registered with Daund Police station for the offences punishable under Sections 310(2) of BNS **be released on bail** on his execution of personal bond of Rs.50,000/- long with one surety in the like amount on following conditions :-

1] The applicant upon his release, within a period of three days from his release, shall furnish his Cell phone number and residential address with proof to the Investigating Officer, Daund Police Station and shall keep the same update, in case of any change thereto.

2] The applicant shall not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of accusation against him, so as to dissuade him from disclosing such facts to the Court or to Investigation Officer.

3] The applicant shall produce his proof of permanent residence along with his mobile number.

- 4] The applicant shall give declaration of place of his residence.
- 5] The applicant shall not commit the similar offence and shall not indulge in any other criminal activities.
- 6] The applicant shall not leave India without previous permission of the Court.
- 7] The applicant shall attend the Court on each and every date till conclusion of the trial.
- 8] The applicant shall comply with Chapter – I para Nos. 1 to 6 of the Criminal Manual, 1980, (In view of order of the Hon'ble Bombay High Court in Criminal Application No. 28 of 2010 in Public Interest Litigation No. 25 of 2010. dt. January 29, 2020.)

Baramati
Date : 22.08.2025

(S.S. Saste)
Additional Sessions Judge,
Baramati.

CERTIFICATE

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

Name of Steno. :- Smt. S.V. Hirve (Steno -Grade-1)

Court Name :- S.S. Saste.
Addl. Sessions Judge, Baramati

Date of order. :- 22.08.2025

Order signed by PO. on :- 22.08.2025

Order uploaded on :- 22.08.2025