

**CNR No.MHPU-1400-1992-2023**



**State of Maharashtra**

**Vs.**

**Vishal Mane and Ors.**

**ORDER BELOW EXH.61**

(Delivered on this 11<sup>th</sup> April, 2025)

The applicant/accused **No.1 Vishal Anil Mane** has filed this application for bail under the provision of **Section 483** of Bharatiya Nagarik Suraksha Sanhita (Here in after, in short, B.N.S.S. 2023).

**Brief Facts of the case are as under :-**

2] It is case of the informant Vikram Pawar that, he is serving at Saraf Petrol Pump, Baramati. On 17.12.2022 at 06:15 pm he was discharging his duty at petrol pump. At that time, accused No.1 Vishal Mane with Yash Mohite came on Honda Shine Vehicle, followed by accused No.3 Chetan Kamble, No.4 Prathamesh Mohare and No.2 Shamuvel @ Gotya on black colour motorcycle. Accused Yash Mohite asked the informant to fill petrol of Rs.1000/-. Accordingly, the informant has put petrol worth Rs.1000/- in the motorcycle of accused Yash Mohite. Accused No.3 Chetan Kamble also asked the informant to fill petrol of Rs.1000/- in his motorcycle. Accordingly, the informant has fill the petrol of Rs.1000/-. Thereafter, the

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informant demanded Rs.1000/- to accused No.1 Vishal Mane then, he gave jerk to the informant and fled away. Accused No.3 Chetan and No.4 Prathamesh also tried to flee away. The informant obstructed said accused Nos.3 and 4 and demanded money from them. Accused No.3 Chetan Kamble told the informant that how dare you to ask money from Bhai of Baramati. Accused No.1 Vishal Mane and accused No.2 Shamuvel @ Gotya returned on the spot. Ganesh Chandgude was trying to pursue the said accused to pay the money of the informant. At that time, accused Yash Mohite took out sickle from his shirt and raised it on the person of the informant but, the informant succeeded to miss the said blow. Ganesh Chandgude tried to intervene. At that time, accused Shamuvel @ Gotya raised the sickle to assault Ganesh Chandgude, but he prevented said blow by putting his hand. The said blow hit on hand of Ganesh Chandgude. The other shop owners gathered there. Then, accused No.4 Prathamesh Mohare and accused No.3 Chetan Kamble took out the weapons. They were flying these weapons in air with intend to terrorize the informant and other peoples gathered there. Thereafter, all accused fled away from the spot. Then, the informant lodged the FIR of the incident against accused persons.

**3]**      On the basis of said report, crime vide CR Crime No.637/2022 for the offences punishable u/Sec.395, 397, 307 r/w. Section 34 of the Indian Penal

Code, U/Sec.3(25) of the Arms Act and U/Sec.37(1)(3) of Maharashtra Police Act, came to be registered at Baramati City Police Station, Tal.Baramati, Dist.Pune against accused.

**4]**            Ld. APP has filed their reply at Exh.62, contested the application and prayed for its rejection.

**5]**            Heard both Ld. Advocates. Perused material placed on record. It appears from contents in FIR that the informant has made allegation of assault by sickle against accused Yash Mohite and Shamuvel Jadhav. My Ld. Predecessor has released accused Shamuvel Jadhav, Chetan Kamble and Prathamesh Mohare on bail. Accused Chirag Gupta in this case is also released on bail by my Ld. Predecessor. This shows that, except applicant/accused all other accused are released on bail. Admittedly, accused Yash being child in conflict with law, not facing trial along with applicant/accused and other accused in this case. Thus, on the ground of parity, applicant/accused is entitled to get bail.

**6]**            So also, as pointed out by Ld. Advocate for applicant/accused, applicant/accused arrested on 27/12/2022 and remanded to judicial custody. Since December 2022 accused is in judicial custody. As pointed out by Ld. APP, offence committed by applicant/accused and other accused is serious in nature. It is also true that, applicant/accused is having criminal antecedents. But, admittedly, charge has been

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framed against accused on 31/01/2025. There is no likelihood of taking this matter for final hearing in near future. In the circumstances, no purpose of prosecution would be sufficed by keeping the applicant/accused behind bar as pre-trial punishment for indefinite period. So, on the ground of parity as well as on above ground accused/applicant is entitled to get bail.

**7]**      Having regard to the above-mentioned facts and circumstances of the case, I am of the opinion that, the accused/applicant is entitled to get bail. I, therefore, pass following order: -

**ORDER**

- 1.** Application Exh.61 is allowed.
- 2.** Applicant/accused **No.1 Vishal Anil Mane** in connection with CR Crime No.637/2022 for the offences punishable u/Sec.395, 397, 307 r/w. Section 34 of the Indian Penal Code, U/Sec.3(25) of the Arms Act and U/Sec.37(1)(3) of Maharashtra Police Act, registered with Baramati City Police Station, Tal.Baramati, Dist.Pune, be released on bail, on furnishing P.R. Bond of Rs.50,000/- (Rs. Fifty Thousand only), with a Surety in the like amount, and on the following conditions: -
  - (a)** He 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 Investigating Officer.

- (b) The applicant shall produce his proof of permanent residence along with his mobile numbers.
- (d) The applicant shall not tamper the evidence of prosecution in any manner.
- (e) The applicant shall attend this Court on each and every date till conclusion of the trial.
- (f) He shall comply with Chapter I Paragraphs 1 to 6 of the Criminal Manual 1980 (In view of Order of the Hon'ble High Court passed in Criminal Application No. 28/2010 in Public Interest Litigation No. 25/2010 on January 29, 2020).

3. Inform to concerned Jail Authority, through email.

Baramati.

Date: - 11-04-2025

**(S.R.Patil)**

Additional Sessions Judge,  
Baramati, Dist.Pune.

**“CERTIFICATE”**

I affirm that the contents of this PDF file are same word for word as per original :-

**Name of Steno                :**      **Jagadish Narayan Kanki,**  
(Stenographer Grade - I)

**Court name                    :**      **Surekha R. Patil.**  
Addl. Sessions Judge, Baramati

**Judgment delivered on                :**      **11/04/2025**

**Judgment signed by PO on                :**      **11/04/2025**

**Judgment uploaded on                :**      **11/04/2025.**