



ORDER BELOW EXHIBIT NO.4 RCC. NO. 290/2025

This is a bail application filed on behalf of the accused No. 1 who is U.T.P. The learned advocate for accused has submitted that accused No. 1 is falsely implicated in the present crime, he has not committed any offence. Accused No. 1 has ready to abide all the conditions. Accused No. 1 will not tamper the prosecution evidence. The investigation is completed. The offence is of civil nature. Hence, prayed to allow the application.

2. Learned APP has objected to the application and submitted that the though investigation is completed accused No. 2 is still absconded. The alleged offences are serious and non bailable. Prima facie offence punishable under Section 316(2), 318(4) read with Section 3(5) of the Bhartiya Nyaya Sanhita, 2023 are made out. The accused if released on bail he may abscond. Hence, she prayed for rejection of the application.

3. Perused the application, say filed thereon and record. Heard learned advocate for accused No. 1 and learned APP for State.

4. The accused No. 1 along with absconded accused No. 2 alleged to have committed the offence punishable under Section 316(2), 318(4) read with Section 3(5) of the Bhartiya Nyaya Sanhita, 2023. On perusal of final report it seems that the investigation is completed. It also seems that the alleged offence have been committed on 03/08/2021 to 07/09/2022. The F.I.R. is registered on 21/08/2024. It seem that there is delay in lodging F.I.R. and there is no whisper of delay in F.I.R..

5. It is also noted that accused No. 1 is in Judicial custody since 26/02/2025. Under such circumstance, it would not be



appropriate to keep accused No. 1 behind bars for indefinite period. Moreover, the trial would take much time to reach the conclusion. Hence, this application deserves to be allowed on certain conditions. Hence, I pass following order:-

ORDER

1. The application is allowed.
2. The accused No. 1 is released on bail on executing PB of Rs.1,00,000/- with solvent surety in the like amount.
3. He shall not tamper the prosecution witnesses.
4. He shall not tamper with prosecution evidence.
5. He shall furnish his ID proof and address proof.
6. He shall also furnish ID proof and address proof of his nearest three blood relatives.
7. Accused shall remain present on every date of trial.
8. On failure of any above condition prosecution is at liberty to file an application for cancellation of bail.

Place: Indapur
Date : 23/04/2025

Sd/-
(J. N. Bhasme)
Judicial Magistrate First Class,
Indapur