

ORDER BELOW BAIL APPLICATION EXH.7

The present application is moved on behalf of accused No.3 namely **Umesh Sambhaji Gadkar** to release him on bail.

2. Perused application and say given overleaf of this application. Heard learned counsel for the accused and learned APP. It is stated in the present application that the accused is booked for the alleged offence under Section 457, 380, 411 read with 34 of IPC. The accused is ready to furnish bail. His family is dependent upon him. Accused is ready to abide with all terms and conditions which will be imposed by this Court. The charge-sheet is filed and investigation is completed. Accused will not flee away from the jurisdiction of this Court. Hence, prayed to allow the present application.

3. On the other hand, learned APP strongly opposed to the present application. It is contended that the alleged offence is serious and non-bailable in nature. There is direct involvement of the accused in the present crime. If accused is released on bail, he may tamper with prosecution evidence. The accused may commit similar nature of an offence. Therefore, it is prayed to reject the application.

4. I have considered the submission of both the sides. I have perused entire record. It appears that the alleged offence is non-bailable. The charge-sheet is filed against the present accused. It seems that investigation is completed. Accused has submitted that he will not flee away and will abide himself with all terms and conditions imposed by this Court. It appears that

the accused is ready to furnish the bail. It will take time for conclusion of trial of the case. The accused is in jail since 30.05.2024. No purpose to keep the accused languishing in jail. While releasing the accused the necessary conditions can be imposed upon him to secure his presence. Ultimately, I deem it just to allow the application. Hence, I pass the following order :-

ORDER

1. Accused No.3 namely **Umesh Sambhaji Gadkar** is released on execution of personal bond of Rs.30,000/-(fifteen thousand) and with one or two sureties in the like amount with following conditions :-

- a) Accused shall not flee away from the jurisdiction of this Court.
- b) Accused shall attend the Court on fixed dates.
- c) Accused shall furnish his present active mobile number and permanent address proof.
- d) Accused shall not tamper and hamper with prosecution evidence.
- e) Accused shall not induce, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court.

Date : 29/07/2024

(T. S. Wakdikar)
Judicial Magistrate First Class,
Ghodnadi (Shirur) Dist. Pune