

: ORDER BELOW EXH.3 IN SPECIAL CASE NO.9/2024 :
(CNR No. MHRG15-000073-2024)
(Passed on 04.09.2024)

- 1) The present application is filed by applicants/accused no.1 to 3 for releasing them on regular bail.
- 2) The applicants/accused contended that they have received the summons of present case. The police have filed charge-sheet against them for the offence punishable under section 323, 504, 506, 427 r/w. section 34 of Indian Penal Code and section 3(1)(r)(s), 3(2)(va), 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
- 3) The further contended that the Investigating Officer has completed the investigation and has filed charge-sheet against them. During the course of investigation, they were not arrested in present offence. Therefore, nothing is to be recovered or discovered at their instance. They are willing to furnish appropriate surety for their appearance at trial. They prayed that they may be released on regular bail.
- 4) Ld. A.P.P. filed his say at Exh.4. He contended that the offence is serious in nature. They have abused and assaulted the person belonging to scheduled tribe. He further contended that if the applicant is released on regular bail, there are chances that they may pressurize the informant and tamper the evidence of prosecution. He prayed that the application be rejected.

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5) Notice was issued to informant. The informant appeared through his Advocate and filed his say at Exh.6. He contended that the applicants have assaulted him and have also abused him on his caste. The applicants are influenced persons and if they are released on regular bail, there are chances that they may pressurize him and he also have fear to his life at the hands of applicants. He prayed that the application be rejected.

6) Heard Ld. advocates appearing for parties, including the Ld. Advocate appearing for informant.

7) On perusal of material, available on record, it appears that on 28.12.2023 the informant had lodged report contending therein that the applicants have assaulted him and also abused him on his caste. The Investigating Officer has completed the investigation. The applicants were not arrested by the Investigating Officer during the course of investigation. The material further shows that nothing is to be recovered or discovered at the instance of applicants. The applicants are also willing to furnish the surety for their appearance at trial. Therefore, taking into consideration all the above facts, in my opinion, the applicants/accused can be released on regular bail. Hence, I proceed to pass following order :-

: ORDER :

- 1) The application is allowed.
- 2) The applicants/accused no.1) **Vitthal Maruti Telange**, no.2)

Vaibhav Vitthal Telange and no.3) **Dilip Dagdu Aamuskar** be released on regular bail in **Crime No.173/2023** registered at Nagothane Police Station, for the offence punishable under section 323, 504, 506, 427 r/w. section 34 of Indian Penal Code and section 3(1)(r)(s), 3(2)(va), 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, on their executing P.B. of **Rs.25,000/-** (Rs. Twenty five thousand only) each, with one solvent surety each in like amount.

- 3) The applicants shall not pressurize the witnesses or tamper the evidence of prosecution.
- 4) The applicants shall not enter the jurisdiction of Group-Grampanchayat Khamb, Tal. Roha, Dist. Raigad, till conclusion of trial.
- 5) Violation of any condition will entail for cancellation of bail.

(Dictated and pronounced in open Court)

Mangaon.
Date : 04.09.2024.

(H. K. Bhalerao)
Special Judge, Mangaon
Dist. Raigad