



Spl.Case No.13/2023
The State of Maharashtra
Vs.
Vasim Nasir Bade and Ors.
CNR No.MHRG150001682023

:: ORDER BELOW EXH. 7 ::
(Passed on 12th May, 2023)

1. The present application is filed by applicant/accused under Section 439 of Criminal Procedure Code for regular bail.
2. The applicant contended that he is permanent resident of Jainab Manjil, Khalcha Mohalla, Roha. He is falsely involved in the present offence.
3. He further contended that on 21/11/2022 informant had lodged report alleging therein that he alongwith other staff of M.S.E.D.C.L. had gone to check electricity meter in the building at Jama Masjid Roha. When they checked the electricity meter of applicant and other co-accused, they found that the meters were tampered. He gave information about it to his senior officer. His senior officer came to the spot. They prepared required panchanama. When they tried to take the electricity meters in their custody, at that time applicant and co-accused raised hue and cry. Due to which 50 to 60 people gathered there. Vasim Nasir Bade man-handle him and told him that they will not allow them

to take said meters. They also took the copy of inspection report and tore it. At that time the applicant and other accused threatened the employees of M.S.E.D.C.L.

4. He further contented that the co-accused are released on regular bail. The investigation officer had filed charge-sheet against co-accused. He was shown as absconding in said charge-sheet. He is arrested on 18/04/2023 and since then he is behind bars. The allegations in the report shows that nothing is to be recovered or discovered at his instance and prayed that he may be released on regular bail.

5. The learned A.P.P. filed his say. He contended that the offence is serious in nature. The applicant alongwith co-accused have formed unlawfully assembly and had restrained informant and his team from performing their official duty. The members of unlawful assembly had man-handle the informant and destroyed government papers. The applicant is absconding from the date of offence. He further contended that if the applicant is released on regular bail there are chances that he may pressurize the witnesses and tamper the evidence of prosecution. The applicant may again abscond and delay the trial. He prayed that the application be rejected.

6. Heard learned advocates appearing for parties.

7. On perusal of material available on record it appears that the allegations made in the report against the applicant is that when the informant and his team came to verify electricity meter, they found that electricity meter of applicant and co-accused are tampered. They prepared necessary report about it. When they were trying to take the meters in their custody, at that time one of the co-accused man-handle him and applicant and other co-accused threatened him and his team. The material further shows that the co-accused are released on regular bail. The allegations in the report shows that nothing is to be recovered or discovered at the instance of applicant. Therefore taking into consideration all the above facts in my opinion the applicant can be released on regular bail by putting appropriate conditions for his appearance at trial. Hence, I proceed to pass following order.

ORDER

1. The application is allowed.
2. The applicant/accused **Ramij Rajjak Dange** be released on bail in **Crime No.215/2022** registered at Roha Police Station, for the offence punishable under Section 353, 143, 147, 183, 186, 189, 427 of Indian Penal Code and Section 138(D) of Electricity Act 2003, on his executing PB of Rs.60,000/- (Rupees Sixty Thousand Only) with one solvent surety in like amount.
3. The applicant shall visit concern Police Station once in the month i.e. on every 2nd

Saturday of month (between 10.00 a.m. to 2.00 p.m.) till conclusion of trial.

4. The applicant shall not tamper with the evidence of prosecution or pressurize the witnesses.
5. The applicant shall attend each and every date of hearing.
6. The applicant shall furnish his residential proof to the Investigation Officer as well as file the same in Court.
7. Violation of any condition will entail for cancellation of bail.
8. Inform concern Police Station.

Mangaon.
Dt.: 12/05/2023

(H. K. Bhalerao)
Additional Sessions Judge, Mangaon,
District Raigad.