

THE COURT OF DISTRICT JUDGE-1 & ADDITIONAL
SESSIONS JUDGE, PANVEL, DIST.RAIGAD
CNR NO.MHRG170015092019
ORDER BELOW EXHIBIT- 18 AND 20 IN S.C.NO.381/2019
(Dated 26/05/2020)

In the background of Lock-down situations in the Country, State and cities due to COVID-19 Corona Pandemic and recommendations given by the High Power Committee (HPC) dated 24/03/2020, 11/05/2020 and its corrigendum dated 18/05/2020, the applicant/accused Dr.Nilesh Gangaram Doke and Kabir Maruti Adsule have preferred present applications from Prison, for grant of interim bail in C.R.No.52/2018 registered with NRI Sagari Police Station, u/s 302, 201, 467, 468, 470, 471, 472 r.w.34 of the Indian Penal Code.

2. Called detailed report from the concerned Police Station based on the parameters to be observed while considering such applications like, involvement of accused in the crime, it's gravity, possibility of tampering witnesses, the grounds of merits considered earlier while rejecting the bail applications on merit by this court and/or by the Hon'ble High Court as well as his further availability for trial, criminal antecedents etc.

3. Perused the copy of charge-sheet supplied to the Court alongwith report. After going through the investigation papers as well as copy of charge-sheet filed against accused

persons, it appears that, that applicants came to be arrested by the concerned police station with allegations that the applicant alongwith other co-accused persons in furtherance of their common intention committed murder of in house patient viz.Gajanan Chaudhary i.e. brother of complainant Smt.Kalpana Chaudhary. It is alleged by the complainant that her brother Gajanan was admitted in the institute of the applicant/accused Dr.Nilesh Doke viz.Shree Swami Samarth Seva Bhavi Sanstha for de-addiction and the said Gajanan immediately returned back from said sanstha. Complainant has further informed that on 17/02/2018 Gajanan was again admitted to said sanstha. It has been alleged in the complaint that on 25/02/2018 when the wife and brother-in-law of Gajanan went to meet him, upon inquiry Gajanan disclosed them that he will inform certain thing about sanstha to them as the material time employee of said sansthan were present.

4. Complainant has further informed that on 26/02/2018 by making a phone call the co-accused Nilesh Doke informed that Gajanan died due to heart attack and lateron co-accused Nilesh brought dead body to the house of Gajanan. It has been alleged that when the clothes of dead body was removed, the complainant and other witnesses noticed marks of assault and as such upon inquiry with the co-accused Nilesh, he tried to ran away and as such he was accosted, inquired by the police and lateron arrested. It has been alleged that, the accused

Nilesh Doke prepared forged documents to show death of deceased as natural.

5. The record shows that the earlier bail applications have been rejected by the court on merits as well as by the Hon'ble High Court. The report of concerned police station shows that, there are eye witnesses to the incident and there is possibility of tampering of prosecution witnesses. Under the circumstances considering the gravity of crime and in the background of parameters to be observed as given by the HPC, this court is of the view that, the applicant cannot be enlarge by granting interim bail. Hence order.

ORDER

- 1) Application Exh.18 and 20 are rejected.
- 2) Application is accordingly disposed of.
- 3) Inform the order to the DLSA, Alibag for information.

(Directly dictated and pronounced in open court on the office computer.)

Panvel.
Date:-26/05/2020

(R. G. Asmar)
Additional Sessions Judge,
Panvel-Raigad

.. 4 .. SC 381/2019 (Order at Exh.18 AND 20)