

IN THE COURT OF ADDITIONAL SESSIONS JUDGE,
PANVEL-RAIGAD

Order below application (Exh.12) in Interim Bail filed by
Superintendent of Talaja Jail, Navi Mumbai
Sessions case No.533/2019

(Passed on 2nd June, 2020)

1] In view of High Power Committee dated 11/05/2020 and directions given by G.R.No.ILMO320CR58 Prison 2, dated 24/03/2020, Superintendent of Talaja Jail, Navi Mumbai forwarded application on 16/05/2020 for release accused Vikas Sitaram Karande on executing his P.R. Bond for interim/temporary bail on the ground of Pandemic Covid-19. In this application, accused shown his readiness to follow all the conditions given by this court if released him on interim/temporary bail.

2] Say of I.O vide Exh. No.13 filed on 26/05/2020. Strong objection taken by the concerned I.O to release accused on interim/temporary bail. If he released on interim bail then, possibility cannot be ruled out that he will not turn before court and will abscond which ultimately hamper the progress of the trial. Ld.A.P.P Shri.Bhopi supported the say of concerned I.O.

3] I have gone through the record and application

forwarded by the Superintendent of Talaja Jail, Navi Mumbai. No doubt, Superintendent of Talaja Jail, Navi Mumbai has concerned with the health of prisoners by the Pandemic of Covid-19, but to release any accused, who is the culprit in serious offence, it is necessary to peruse the seriousness of offence, gravity of offence, possibility to turn before court by the accused and merit of the case.

4] On perusing record, it appears that, accused is booked for committing murder of deceased. On perusing record, it appears witnesses specifically stated against the accused Ghanshyam, Mallu, Jitendra and Babu as a culprit. The name of accused Vikas does not appear directly in the statement of witnesses. He is arrested on 21/02/2019. At present, he is behind bar since last more than 1 year. Charge-sheet is filed before J.M.F.C Court and it is committed before this Court on 25/11/2019. However, trial yet to commence. In the wake of Pandemic Covid-19, it can not be stated that in the nearby future, trial of this crime will started.

5] No doubt, he is culprit of serious offence, but he is permanent resident of Paneri, Tal.Patan, Dist.Satara and there is least possibility of absconding. Record does not show that, he has any criminal antecedents, also not any offence registered against him. Keeping him behind bar for

uncertain period will lead to danger to his health in the Pandemic Covid-19. Hence, recommendation of Superintendent of Talaja Jail, Navi Mumbai is considerable. Hence, I pass following order.

ORDER

1. Interim Bail Application (Exh.12) forwarded by Superintendent of Talaja Jail, Navi Mumbai is allowed for 45 days from the date of his release.

2. Applicant/accused - **Vikas Sitaram Karande** be released on bail for the offence punishable u/secs.302, 201 of Indian Penal Code, in crime No.81/2019, of Police Station, Panvel City on his executing bond of **Rs.25,000/- with one solvent surety** in the like amount with the following conditions that :-
 - a] He shall present before the court on each and every date without fail.
 - b] He shall not leave his concerned District without prior permission of this Court.
 - c] He shall not tamper or pressurize with the informant and prosecution witnesses.
 - d] He shall undertake not to misuse of this privilege of interim bail.
 - e] He shall surrender himself before the jail authority after completing his interim period of 45 days.
 - f] In the event, if accused did not surrender himself

before jail authority then, Superintendent of Taloja Jail, Navi Mumbai is directed to make arrangement to take accused in custody after interim period is over and report the same to this court.

3. If applicant/accused is unable to furnish any surety during the lock down period, then he is permitted to deposit surety amount of Rs.25,000/- in the court and thereafter, he shall furnish solvent surety in the like amount after lock down period is over before the court.
4. The breach of above conditions shall lead to the cancellation of bail.
5. Bail before concerned court.
6. Copy of order be sent to Superintendent of Taloja Jail, Navi Mumbai immediately.
7. Hamdast allowed.

Panvel
Date :- 02/06/2020

(Madhuri Anand)
Addl. Sessions Judge,
Panvel-Raigad