

**Common Order Below Exh.17 to 21 in Sessions Case  
No.79/2019**

(CNR NO.MHSN040009292019)

(State of Maharashtra Vs. Sunil Mohan Kadam etc.)

These application of accused no.1 to 5 are received to this Court from jail through Secretary, DLSA, Sangli vide his letter bearing outward no.476/2020 dated 16-05-2020 for grant of interim bail in view of the directions issued by the Hon'ble Supreme Court in *Suo motu* Writ Petition no.1/2020 for 45 days.

2. Allegations against all applicants/accused are that on 01-11-2018 applicants/accused has kidnapped minor son of complainant by name Varadraj without his consent for ransom. Therefore, report was filed at Police Station, Islampur and Islampur police have registered offence vide crime no.439/2019 for the offences punishable under Sections 363, 364A, 365, 120B r/w 34 of Indian Penal Code. After completion of investigation present charge-sheet is filed against present applicant/accused.

3. Learned APP for State has resisted bail application by filing its reply at Exh.22 inter alia contending that offence as such committed by applicants/accused does not come under the purview of granting bail as per the guidelines of the Hon'ble Apex Court in *Suo motu* W.P.No.1 of 2020.

4. Considering the guidelines of the Hon'ble Apex Court in the judgment in *Suo motu* W.P.No.1/2020 and the directions issued

therein, the present case is registered under Sections 363, 364, 120B r/w 34 of the Indian Penal Code and therefore the offence comes under the purview of serious offence. I am therefore of the opinion that benefit of the decision in *Sou motu* Writ petition No.1/2020 dated 23-03-2020 cannot be made applicable to the present offence and therefore, applicant/accused does not deserve to be released on interim bail. The application sans merit. Hence, I pass the following order:

### ORDER

The applications (Exh.17 to 21) are rejected.

Islampur  
19-05-2020.

(Shekhar C. Munghate)  
DJ-1/Additional Sessions Judge,  
Islampur.

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I affirm that the contents of this PDF file are same, word to word, as per the original order.

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|--------------------------------|---|----------------------------------------|
| Name of Stenographer           | : | K.S.Shinde, Steno(Grade I)             |
| Court Name                     | : | District Judge-1/ Addl.Sessions Judge. |
| Date                           | : | 19-05-2020                             |
| Signed by Presiding officer on | : | 20-05-2020                             |
| Uploaded on                    | : | 22-02-2020                             |