

Order below Exh. 5 in Special Case No. 59 of 2019
CNRNOSO050009812019

1 Heard Ld. advocate of the accused and the Ld. A.G.P. Perused application, say filed by prosecution and the documents relied upon by both sides.

2. This is bail application filed by accused u/s 439 of Cr.P.C.

3. It is alleged by the accused that, he is arrested on 26-03-2019, kept in police custody upto 11-04-2019 and thereafter he is in Judicial Custody. He has committed no offence. False F.I.R. is registered on the basis of existing said dispute. There is no capital punishment or life imprisonment provided for alleged offence. He is the only earning member in his family. He is permanent resident of Pandharpur. He will not flee from justice nor will tamper evidence. No purpose will served by keeping him behind the bar. Investigation is complete. He is ready to abide all the conditions. The circumstances are changed to consider this application. Hence, application be allowed.

4 Prosecution filed say below Exh. 7 and objected the application alleging the offence is serious in nature. Victim is ten yeas old. There is threat to her life. If he released, he may commit same offences. He may give threat to complainant and witnesses. Wrong message will go to the society. Hence application be rejected.

5 Record shows that accused is in custody since 26-03-2019. Investigation is completed and chargsheet is filed.

6. Under such circumstances considering all above facts, nature of allegations and as investigation is completed and accused is permanent resident of Pandharpur, no purpose will be served by keeping him behind bar. Hence, following order is passed.

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ORDER

- 1 Application is allowed with no order as to costs.
- 2 Accused Shankar Bhui (Nagare) is released on furnishing his P.R. of Rs.30,000/- with solvent surety in like amount with direction that he will not tamper the evidence of prosecution and will keep peace. Matter to proceed accordingly.

Date : 27-06-2019

Kamala V. Bora
Addl. Sessions Judge, Pandharpur.

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Certificate

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

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| a) | Name of stenographer | : B.S.Chavan. |
| b) | Court | : Addl.Sessions Judge- Pandharpur. |
| c) | Order signed on | : 28-06-2019 |
| d) | Order upload on | :28-06-2019 |

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