

MHST010015682024



Special Case No.114/2024

2. Arjun Nagraj Gosavi

...Accused

V/s.

State of Maharashtra

...Respondent

ORDER BELOW EXH.12

By this application, accused no.2 namely; Arjun Nagraj Gosavi is seeking for grant of regular bail.

2. I have heard Ld. Advocate Shri. A.P.Mahangade for accused no.2 and the Ld. A.P.P. Shri. N.D.Muke for State.

3. It seems that the accused no.2 is in jail from 28.06.2024. The offences for which the crime has been registered against him are the offences punishable under Sections 379, 427 read with Section 34 of the Indian Penal Code and Section 136 of the Electricity Act. The maximum punishment provided for the said offences does not exceed 7 years of imprisonment.

4. On the above backdrop, if the facts in the case are perused, the prosecution has alleged that the incident took place between 25.08.2023 and 26.08.2023 when accused nos. 1 to 3 in furtherance of their common intention dropped down the electric transformer in the area of Chaundeshwari and took away 50 Kg. of its copper. Thus, the major offence is of theft of 50 Kg. of copper besides causing mischief to the property.

5. The present case is pending from the year 2024 and the accused no.2 is in jail; right from his arrest. The other two accused who are facing the same charge have been enlarged on bail by the predecessor of this Court. In such circumstances, by virtue of principle of parity, the accused no.2 deserves bail.

6. Even going by facts of the case, already alleged 50 Kg., of copper has been seized during investigation, therefore, there is nothing to be recovered from accused no.2. The charge-sheet is filed two years back. Under such circumstances, there is no propriety to keep the accused behind bar without any strong reason.

7. Considering above mentioned aspects of the case, I am of the considered view that further custody of accused no.2 will be fruitless and the prosecution has no strong ground for which he can be continued in jail. The accused has prayed for grant of bail even on the count that he is the only member who can look after his family. He has permanent place of abode on the given address making possibility of he fleeing away, less. Therefore, discretion can be exercised for granting him bail. As such, in the result I pass the following order.

ORDER

1. Application (Exh.12) is allowed.
2. Accused **Arjun Nagraj Gosavi** be released on his executing personal bond in the amount of Rs.25,000/- with one surety in the like amount on condition that, he shall not directly or indirectly make any inducement, threat or promise to the informant or the witnesses acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court.

3. The accused no.2 shall attend all material dates of hearing of the case.
4. Copy of this bail order shall be sent to concerned jail authority by e-mail.

Satara
Date : 08.06.2026.

(N.M.Jamadar)
Additional Sessions Judge-4, Satara.