

Sessions Case No.20/2024

State of Maharashtra. .. State.

vs.

Ajitkumar Ramkishor Patel .. Accused.

Order below Bail Application Exh.49 :

01. Second application for regular bail by accused Ajitkumar Ramkishor Patel on various grounds. It is contended that he is not involved in the crime, he came to be implicated falsely, there is no direct or circumstantial evidence available against him showing his involvement in the crime. He is in jail since long, the trial is not commenced and same would take time, his detention without trial is bad in law. Besides these grounds of merit, he further contends that bail was granted to the principal accused Sandip Sheshmani Patel and accused Ganesh Laxman Narale by the Hon'ble High Court. He has not played higher role than that of those accused and therefore, on the ground of parity, he is also entitled to seek bail. Accordingly, he pray for bail, further adding that he will abide by the conditions of bail to be imposed by this Court.

02. The Investigating Officer by filing say at Exh.53 opposed the application.

03. The Ld. Spl. P.P. Shri. R.D. Khot by filing pursis Exh.54, has adopted the said say.

04. The investigating officer contends that offence committed by this accused is serious. He is from out of State. There

is possibility of tampering of prosecution evidence/ witnesses and his not attending the Court. Accordingly, he pray for rejection of the application.

05. Today, I have heard the Ld. Advocate Shri. A.T. Matala for accused and the Ld. Spl. PP Shri. R.D. Khot for State.

06. I have carefully gone through the material on record. Undisputedly, his previous bail application Exh.8 was rejected by my Ld. Predecessor on merit. Therefore, in my view, without giving much more weightage to the grounds of merit raised by the applicant in the petition, except assessing his role in commission of the crime while considering relief of bail claimed on other ground of parity.

07. In this regard, prima facie, the material on record did not disclose that any sort of recovery under Section 27 of Indian Evidence Act, has been effected against this accused. The investigation papers further show that clothes worn by him at the time of alleged incident has been seized. The investigation paper shows that the stolen articles recovered from other accused are alleged to have been distributed among all three accused including this accused. So, distributing stolen articles by the accused including this accused is prima facie appears to be the only circumstance against this accused.

08. So far as this aspect of circumstantial evidence brought on record against this accused is concerned, it is useful to consider finding recorded by the Hon'ble High Court in bail order of accused

Sandip Patel and Ganesh Narale against whom evidence of recovery of articles was brought on record.

09. The Hon'ble High Court rules that the chain of circumstantial evidence against these two accused is weak and lacking which is not complete to show prima facie involvement of these two accused in the crime against whom some recovery has been effected. Therefore, in my view, considering the circumstantial evidence collected against this accused about get distributing stolen articles along with other accused and sharing common intention etc., in my view, same cannot be considered as strong circumstantial evidence standing on higher footing than that of other two accused to refuse bail.

10. Therefore, in my view, on the ground of parity, he is entitled to the bail with similar conditions imposed by the Hon'ble High Court while granting bail to accused Sandip Patel and Ganesh Narale. Hence the order.

ORDER

01. Application is allowed.

02. Accused Ajitkumar Ramkishor Patel, Age-29 years, R/o Paryanti, Tal.Man, Dist.Satara be released on bail on his executing solvent surety of Rs.50,000/- with P.B. of like amount on following conditions :-

- (1) He shall not pressurize the prosecution witnesses and tamper with prosecution evidence, in any manner.
- (2) He shall attend the trial on each and every date.

- (3) He shall submit Aadhar and Pan Cards to the investigating Officer and detailed address and phone number and two of the near relatives.

(Dictated and pronounced in open Court.)

Place: Vaduj

Date : 09.06.2026.

(N.S. Kole)

Extra Jt. Addl. Sessions Judge Vaduj.