

Sessions Case No.30/2019

State of Maharashtra. .. State.

vs.

Gopal Balasaheb Tengse. .. Accused.

Order below Bail Application Exh.13 :

01. Application for bail contending that henceforth he will attend the Court regularly and co-operate the Court for disposal of the case. It is further contended that he is the only earning member of his family. The old aged parents are depending upon him.

02. The Investigating Officer, by filing say at Exh.18, opposed for the same, contending that offence committed by him is serious one. He jumped out previous bail. There is no possibility of his attending the Court regularly on granting bail. There is possibility of tampering with prosecution evidence/ witnesses. Accordingly, the I.O. prayed for rejection of application.

03. The Ld. Spl. PP. Shri. R.D. Khot for State by filing pursis at Exh.19 has adopted the said say of I.O. as a say of prosecution and pray for rejection of bail application.

04. Today I have heard the Ld. Advocate Shri. S.S. Bhosale for accused and the Ld. Spl. PP. Shri. R.D. Khot for State.

05. It is true that as this accused jumped out his previous bail, therefore, NBW was issued against him and after three years gap he turned to the Court for cancellation of the same. Considering

his behaviour of not attending Court for three years, his application of Exh.9 for cancellation of N.B.W. was rejected. Charge was framed on the same day. He was taken into the judicial custody.

06. Thereafter prosecution adduced evidence of material witnesses consists complainant, who is father of victim as well as victim and two panch witnesses. Unfortunately they all turned hostile and have not supported to the case of prosecution. The charges levelled against accused are of kidnapping the minor victim from custody of her parents. The victim and her father are turned hostile. Therefore, the possibility of tampering with other prosecution witnesses has no significance at this stage. Beside this, the accused gave assurance of attending the Court regularly. Therefore, in my view, one more opportunity needs to be given to him. Hence the order.

ORDER

01. Application is allowed.

02. Accused Gopal Balasaheb Tengse, Age-26 years, R/o Surumgaon, Post-Gangasmala, Tal.Majalgaon, Dist. Beed, be released on bail on his executing solvent surety of Rs.50,000/- with PB. of like amount on following conditions :-

- (1) He shall not tamper with the prosecution evidence and create pressure upon the prosecution witnesses.
- (2) He should furnish particulars of his Mobile cell phone and whereabouts with I.O. enabling him to contact as and when found necessary for lawful purposes.

- (3) He shall not indulge with criminal activities in any manner and attend the Court regularly.

(Dictated and pronounced in open Court.)

Place: Vaduj
Date : 07.04.2026.

(N.S. Kole)
Extra Jt. Addl. Sessions Judge Vaduj.