

Spl.Atro.Case No.5/2014
Order Below Ex.91
Dt.24.09.2014

1. This is an application under section 439 of Cr.P.C. for grant of bail in connection with Crime No.15/2014 registered with Police Station, Kharangna, District Wardha for the offence punishable u/s.302,307,147,148,149, of IPC with section 4,25 of Arms Act and with sec.3(2)(5) of Atrocity Act. The applicant is one of the co-accused.
2. According to the applicant, the accusations against him are false and he has no connection with the crime.
3. The application has been opposed on the grounds that the offence is serious and antisocial. The charge sheet has been filed in the Court. There is possibility of tampering of the prosecution witnesses, the applicant is not entitled to be enlarged on bail.
4. Heard Shri A.D.Deshpande, learned counsel for applicant and Smt. Sabane, learned PP. Perused the case papers made available.
5. No material is sought to be recovered from the applicant. It is also not the case of prosecution that if the applicant is released on bail he is likely to abscond. Hence, his physical

custody is not required. There is an apprehension that if the applicant is released on bail he may tamper with the prosecution witnesses. The apprehension of learned PP can be taken care of by imposing strict conditions upon the applicant while releasing him on bail. Hence, the following order is passed :

Order

- 1) The application is hereby allowed.
- 2) Applicant Onkar Govindrao Wankhede be released on bail on executing PB & SB of Rs.25,000/- with one solvent surety in the like amount in connection with crime No.15/2014 for the offence punishable u/s.302,307,147,148,149 of IPC, registered with Police Station,Kharangna on the following conditions :

(a) The applicant shall not directly or indirectly make any inducement, threat or promises to any person acquainted with the facts of accusation, so as to dissuade them from disclosing such facts to the Court or to the police.

(b) The applicant shall not change his place of residence or leave the jurisdiction of the concerned police station without giving prior written intimation to the police in that regard.

Hamdast allowed.

Dt. 24.09.2014

(S.S.Adkar)
Addl. Sessions Judge,
Wardha.

