

IN THE SESSIONS COURT, WASHIM

S.T. No.72/2021

State .Vs. Umesh Chavhan+1

Crime No. 99/2021

U/sec. 376, 448, 450, 452, 506 r/w 34 IPC.

Police Station, Malegaon

ORDER BELOW EXH 3

The applicant Dinesh Anil Pawar arrested in crime No.99/2021 of the offences punishable under Sections 376, 448, 450, 452, 506 r/w Section 34 of the IPC registered by Malegaon Police Station, seeks regular bail by this application.

2] The learned counsel Mr.A.R.Pawar for the applicant submitted that the applicant has no concerned with the alleged offence and he has been falsely implicated in false accusation. There is no allegation regarding sexual intercourse against the present applicant. The incident is occurred in day light and having more houses around the spot of incident and it is no possible for co-accused to commit forcible assault against wish of victim. The age of victim is 23 years and there was consent of the part of victim. The applicant is not having any active role in the alleged offence. Therefore, the custody of the applicant is not required for any purpose. He is karta of his family. He is ready to abide all the terms and conditions imposed by the Court. He will not tamper the prosecution witness and co-operate the investigation. Hence, accused be released on bail.

3] On the contrary, the learned A.P.P. Mr. S.N.Kalu strongly opposed the application on the ground that the offence is serious and sensitive. The informant specifically stated the role played by this applicant. If accused is released on bail, then every possibility that he will tamper and hamper the victim and prosecution witnesses. Hence, the bail application of the applicant may kindly be rejected.

4] Heard, both parties. Perused the case dairy and the documents filed on record.

5] On carefully submission of both parties and going through the record, it reveals that a prima-facie case has been made out against the applicant

to show his involvement. The offence is serious and heinous one. There is possibility of tampering the prosecution witness, if the applicant is released on bail. There is also possibility of repetition of same crime by pressurizing the victim. Mere filing of charge-sheet not lessen the gravity of offence. Looking to the seriousness of the offence and without going into the merits of the case it is not just and proper at this juncture to use the discretion. Accordingly, I proceed to pass following order:-

ORDER

The application is hereby rejected.

Sd/-
(Dr. Rachna R.Tehra)
Additional Sessions Judge,
Washim.

Dt.:- 16.07.2021

CERTIFICATE

I affirm that the contents of this P.D.F. file Judgment/Order are same word to word, as per the original order.

Name of the Stenographer :-	N. B. Khandare, Stenographer (Grade - II)
Court Name :-	Adhoc D.J.-1 and A.S.J. Washim.
Date :-	16.07.2021
Order signed by the	
Presiding Officer on :-	16.07.2021
Order uploaded on :-	17.07.2021