

Atro Special Case No. 20/2018.
Shahrukh Ali @ Kabutar V/s State
(CNR No. MHYA-010012872018)

-: ORDER BELOW EXH.22 :-
(Delivered on this 06th Day of March 2024)

1. Accused Shahrukh Ali @ Kabutar @ Sonu Kismat Ali moved this court vide Section 439 of the Code of Criminal Procedure, 1973, seeking regular bail.
2. Accused /applicant is engulfed for the offence punishable U/secs. 324 and 294 of the Indian Penal Code, 1860 and u/s 3(2)(va) of The Scheduled Caste and Scheduled Tribes (Prevention of Atrocities (Act) 1989.
3. Explored application and say filed on behalf of the prosecution below Exh.24. I have gone through entire record minutely. Offence punishable under sections 324 and 294 of the Indian Penal Code, 1860 and u/s 3(2)(va) of The Scheduled Caste and Scheduled Tribes (Prevention of Atrocities (Act) 1989 are primarily alleged against present accused. None of the alleged offence is either punishable with death sentence or life imprisonment. The accused is behind the bar since 18.02.2024. Warrant was executed and thus he was lodged in the Jail. Earlier he was released on the bail but owing to his absence in the court, warrant was issued and in its execution, he is taken into MCR. In instant matter investigation is already over. Charge sheet is placed before the Court. Nothing is to be recovered or discovered at the instance of this accused. He is ready to attend the Court regularly. At present there is nothing to be interrogated with this accused. He is permanent resident of Yavatmal, District Yavatmal. Now there are no likely chances from he would flee from justice. By putting certain terms and conditions, it is desirable to release the accused as a matter of chance. There is no strong

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reason to deny bail prayers of the accused. He is ready to attend the trial regularly. In the scenario, the accused deserves approval for bail as a matter of chance. Culmination of all circumstances manifested above I perceive the accused is entitled for the bail. Hence, the order.

ORDER

1. Application is allowed.
2. The accused/applicant arrested in connection with C.R. No.216/2018 registered with Yavatmal City Police Station, Dist. Yavatmal for the offence punishable Under Sections 324 and 294 of the Indian Penal Code, 1860 and u/s 3(2)(va) of The Scheduled Caste and Scheduled Tribes (Prevention of Atrocities (Act) 1989, be released on P.B. of Rs.30,000/- (Twenty Thousand) with one solvent surety in the like amount, on following terms and conditions;

Conditions

- (i) The accused/applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him from disclosing such facts to the Court or to any police officer.
- (ii) He shall attend the trial Court regularly failing which his bail liberty shall be vacated without any further reference to this Court.
- (iii) He shall not to indulge in any illegal activities or in committing the offence of like nature.
- (iv) He shall submit copy of his Aadhaar Card, Bank Passbook and other address proof.
- (v) He shall not foster any interaction with the informant or any of her relatives.

Date : 06/03/2024.

(Amit Anant Laulkar)
Judge, Special Court,
Yavatmal.