

ORDER BELOW EX. NO. 1 IN CRI. BAIL APPLN. NO. 1752/2022.
(CNR No. MHPU01-0049822022)

Dipak Mohan Taktode & Ors.

Vs.

The State of Maharashtra

[1] By this application, the applicants are seeking bail in connection with C.R. No. 232/2022 registered at Hadapsar Police Station, for the offences punishable under Sections 363, 364-A, 365, 506, 34 of IPC and under section 37 (1) r/w. S. 135 of Maharashtra Police Act.

[2] Read application, say filed thereon and police papers. Heard both sides at length.

[3] **Brief facts :**

Informant – Sadik Salim Shaikh has lodged an FIR alleging therein that, on 06/03/2022 at around 10.30 am.. he along with his brother-in-law went to attend a wedding at Choufula and meanwhile they both were proceeded towards Siddhivinayak petrol pump, Shewalwadi on the bike. The brother-in-law of informant received a phone call and suddenly one Ertiga car approached towards Mr. Atik and some strangers pushed him inside the car and left the spot. Thereafter, informant started on his bike to follow the alleged car wherein he learnt the registration number of said car viz. MH-45-AE-1404 and took picture of the same. The informant stopped his bike and dialled to the Commissioner, Pune. Later on, he approached Hadapsar police station and lodged his

complaint. On these allegations, FIR was lodged.

[4] The learned counsel for the applicants submitted that, the applicants have not committed any offence, as alleged, but they are falsely implicated in the alleged crime. Nothing has been recovered or discovered at the instance of applicants. The ingredients of Sec. 363, 364-A, 365 of I.P.C. is not attracted at all against these applicants. The investigation is practically over. The applicants are in custody since 06/03/2022. The further custody of applicant is not required. The applicant nos.1 to 3 are aged about 32 years, 33 years and 25 years respectively. The applicants are ready to abide each and every conditions imposed by this Court. Hence, prayed to release the applicants on bail.

[5] On the other hand, the learned APP submitted that there is prima facie accusation against the applicants. The offence is serious in nature. The investigation is in progress and is at nascent stage. In the event of release of applicants on bail, possibility of threatening the informant and abscondance of accused cannot be ruled out. Hence, bail application be rejected.

[6] I have considered these submissions. Upon perusal of the police papers, it transpired that, the applicants came to be arrested on 06/03/2022 and since then they are languishing in jail. The investigation is almost completed. The applicant nos.1 to 3 are aged about 32 years, 33 years and 25 years respectively. If they remain in jail for longer period, then their life would be spoiled.

[7] It is not the contention of investigation agency that applicants is having a criminal background. In such circumstances, keeping applicants behind the bar for further period, will not add anything more to the prosecution. So far as apprehension on the part of I.O. that applicants will tamper the prosecution evidence if released on bail, it can be taken care of by imposing certain conditions. With this, following order is passed.

ORDER

[1] Application (Exh.1) is allowed.

[2] Applicants – (1) **Dipak Mohan Taktode**, (2) **Chagan Vitthal Jagdale** and (3) **Vishal Nanasaheb Savant** be released on bail for the offences punishable u/s. 363, 364-A, 365, 506, 34 of IPC and under section 37 (1) r/w. S. 135 of Maharashtra Police Act, registered at Hadapsar police station vide crime no. 232/2022 on executing P.R. Bond of Rs.25,000/- each alongwith one or two solvent sureties of the like amount on the following conditions :-

(a) the applicant shall not tamper with the prosecution evidence in any manner whatsoever.

[3] The applicant shall furnish cogent documentary evidence in respect of his residence before this court after his release on bail alongwith swearing an affidavit in that regard.

[4] Bail before remand/concerned Court.

Pune
Date : 28/03/2022

Sd/xxx
(G.P. Agrawal)
Additional Sessions Judge,
Pune.

CERTIFICATE

I affirm that the contents of this P.D.F file Order is same word for word as per original Order.

Name of Steno	✚ S. Y. Shaikh, (Stenographer Grade-I)
Court Name	✚ G.P. Agrawal Additional Sessions Judge, Pune.
Date of Order	✚ 28/03/2022
Order signed by the Presiding Officer	✚ 28/03/2022
Order Uploaded on	✚ 28/03/2022