

Criminal Application No. 4402 of 2016

1. Tatyasaheb s/o. Anna Fulmali,
Age : 23 years,
Occupation : Agriculture &
Labour.
2. Anil s/o. Sopan Jadhav,
Age : 19 years,
Occupation : Agriculture &
Labour.
3. Gorakh s/o. Anna Fulmali,
Age : 26 years,
Occupation : Agriculture &
Labour.
4. Kalu s/o. Vitthal Jadhav,
Age : 32 years,
Occupation : Agriculture &
Labour.
5. Balu @ Balasaheb Bhausahab Jadhav,
Age : 25 years,
Occupation : Agriculture &
Labour.

All R/o. Mokol Ohal,
Post : Umbari,
Taluka : Rahuri,
District : Ahmednagar. .. Applicants.

versus

The State of Maharashtra. .. Respondent.

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Mr. Abhijeet P. Avhad, Advocate, for applicants.

(2)

Cri. Appln. Nos. 4402 & 4541 of 2016

*Mr. A.S. Shinde, Addl. Public Prosecutor, for
the respondent.*

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With

Criminal Application No. 4541 of 2016

District : Ahmednagar

Shivaji Haribhau Jadhav,
Age : 20 years,
Occupation : Labour,
R/o. Umbarigaon,
Mokol Ohal,
Taluka : Rahuri,
District : Ahmednagar. .. Applicant.

versus

The State of Maharashtra,
Through Kotwali Police Station,
Ahmednagar,
Taluka & District : Ahmednagar. .. Respondent.

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*Mr. Mahesh K. Bhosle & Mr. Ganesh G. Pimple,
Advocates, for the applicant.*

*Mr. A.S. Shinde, Addl. Public Prosecutor, for
the respondent.*

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CORAM : A.M. BADAR, J.

DATE : 1ST SEPTEMBER 2016

ORAL ORDER:

Accused / applicants in Crime No. I-

142/2016, registered with Kotwali Police Station, Ahmednagar, for offences punishable under Sections 399, 402 and 120B of the Indian Penal Code, at the instance of Police Constable Santosh s/o. Chandrakant Kakde, by these applications, are praying for their release on bail after filing of the charge-sheet.

2. Heard the learned Counsel appearing for applicants. They argued that on completion of investigation, there are no reasons to deny liberty to applicants.

3. The learned Addl. Public Prosecutor opposed applications by contending that applicants were caught red handed as they were intending to commit dacoity. Weapons were recovered from them. The crime is serious.

4. The learned Addl. Public Prosecutor fairly states that Police report does not show any criminal antecedents of the present applicants. According to the prosecution case, on the basis of information, Police raided the place at Sonewadi bifurcation and found six accused with three motorcycles. Weapons such as, sword, head of the axe, Koyata, iron rod, etc. were seized from them.

5. Now, investigation of the crime in question is over. The trial will take its own time.

Applicants are reported to be having no criminal antecedents. They appears to be resident of village Mokol Ohal. There is no apprehension of their fleeing from the course of justice.

6. Hence, I pass the following order :-

(a) Both Applications are allowed.

(b) Applicants / accused in both applications, in the above crime, be released on bail on their executing P.R. Bond in the sum of Rs. 20,000/- each and on furnishing one or more solvent sureties of the like amount by each of them.

(c) Applicants shall not, directly or indirectly, make any inducement, threat or promise to any persons acquainted with the facts of the case so as to dissuade them from disclosing such facts either to the Court or to any police officer.

(d) Applicants shall not tamper with the prosecution evidence in any manner and shall cooperate the learned trial Judge in expeditious disposal of the trial.

(e) Applicants shall not repeat commission of similar type of offences in future.

7. Applications are disposed of in the aforesaid terms.

8. Parties to act on an authenticated copy of this order.

(A.M. BADAR)
JUDGE

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