

State of Maharashtra ... Respondent

of Indian Penal Code. After registration of crime, the present applicant was arrested and released on bail. As during the course of investigation, the present applicant and other co-accused in the present crime were found to be members of organized crime syndicate, the offences punishable under the provision of MCOC Act came to be invoked against them. After invocation of the offences punishable under MCOC Act, the applicant again came to be arrested on 5 February 2022.

4. I have heard the learned Counsel for the applicant and the learned APP for the State.

5. According to the prosecution, the applicant is a member of organized crime syndicate of which the co-accused Shyam Rangrao Lakhe is gang leader. However, except the present case the applicant is not an accused in any other crime with the alleged gang leader. Prima facie, there appears to be no material to connect the applicant with alleged gang. Admittedly, the applicant was released on bail before invocation of the offences punishable under MCOC Act.

6. The learned APP submits that the applicant was absconding after the invocation of the offences punishable under MCOC Act. However, fact remains that the present applicant thereafter is in jail for more than 1½ years. Considering these facts, I am inclined to release the applicant on bail. Hence, the following order is passed :

- (i) Application is allowed.
- (ii) The applicant - Harikishan Nandkishor Purohit be released on bail in Crime No. 11 of 2018 registered at Shahapur Police Station, for the offences punishable under Sections 387, 120-B, 504, 506 r/w. 34 of Indian Penal Code and under Sections 3(1)(ii), 3(2), 3(4), 3(5) of the Maharashtra Control of Organised Crime Act, 1999 (MCOC Act) on furnishing P.R. Bond in the sum of Rs.50,000/- with one or two sureties in the like amount.
- (iii) The applicant shall not enter into municipal limits of Ichalkaranji City except to attend the dates before the trial Court till the conclusion of trial.
- (iv) The applicant after his release shall furnish his residential address and mobile number to the concerned Police Station.

(N.R. BORKAR,J.)