

BAIL ORDER

Perused the bail application and say of the prosecution. The advocate for the accused submitted that though offences U/s. 153-A(1)(b), (c) and 505(2) of I.P.C. are non-bailable but triable by this Court. He further submitted that the applicant is 69 years old person and a person having roots in society. He further submitted that the accused is ready and willing to co-operate investigating machinery and he will not abscond. He further submitted that the accused is ready to furnish reasonable surety and abide any terms and conditions which will be imposed upon him.

02) Perused the say of the learned A.P.P. and the I.O. They have objected bail application on ground that the accused being Cabinet Minister of Central Government may make similar type of statement which will create disharmony in the community. The Ld. Adv. For accused made statement at bar that he has advised his client not to made such type of statement in public at large, but he did not concede to give undertaking to that effect, quoting the liberty of the accused.

03) All the offences are triable by this Court. Offences under sections 153-A(1)(b), (c) and 505(2) of I.P.C. are non-bailable, but not punishable for imprisonment for life or death. The offences under section 153-A(1)(b), (c) and 505(2) of I.P.C. are punishable which may to extend 3 years. Rest of the offences are bailable. Considering

above factors no prejudice will be caused to the prosecution if the accused is released on bail on certain terms and conditions. Hence I pass following order.

:: ORDER ::

- 01) Application is allow with following conditions. :-
- a) The accused should furnish P.R. bond of 15,000/- and S.B. of like amount.
 - b) The accused shall not tamper prosecution evidence in any manner.
 - c) The accused shall not directly and in-directly 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 to tamper with the evidence.
 - d) The accused shall remain present before L.C.B. office at Alibag on last Monday of this month and second Monday of next month in between 11:00 a.m. to 12:00 p.m.
 - e) The accused is also directed to co-operate to investigating machinery and also directed to assist investigating officer. In event the investigating officer wants voice sample of the accused for the purpose of investigation if necessary then accused is directed to assist I.O. and remain present to concern police station. Only rider is that in that event the I.O. is directed to give 7 days prior notice on the e-mail I.D. of the accused. The accused is directed to give undertaking with details of his e-mail I.D.
 - f) The accused shall not commit similar type of offence.

Place :- Mahad
Date:- 24/08/2021

(S. S. Patil)
Judicial Magistrate First Class, Mahad