

MHBI040013082022

ORDER BELOW EXH.1 IN CRI.BAIL APPLN. No. 495/2022.Sudhakar @ Sudam s/o Balasheb Kundgar & ors

V/s.

The State of Maharashtra.

1] The applicant / accused namely 1] Sudhakar @ Sudam s/o Balasheb Kundgar, Age 37 years and 2] Mahadev s/o Dadarao Kundgar age 44 years are seeking regular bail under sections 439 of Cr.P.C. in Crime No.210/2022, registered with Ambajogai Rural Police Station for the offence punishable under sections U/Sec.307,143,148,147,149,324,506 of Indian Penal Code.

2] Perused the application. Say of I.O/APP. Heard Shri.A.R.Lomte Advocate appearing on behalf of the applicant /accused and APP Shri. A.V.Kulkarni for State at length.

3] On perusal of the F.I.R., it appears that, informant Dhondiba Laxman Kundgar, lodged complaint before Ambajogai Rural Police Station on 14-09-2022, alleging therein that he is residing with his wife, son and mother. Before four months back there was quarrel in between Sudhakar alias Sudam Kundgar and Prakash Mane and his sons so he was surety. Since then Sudhakar was angry with him. On 13-09-2022 he along with his son Thakurao alias Rahul

had been towards temple of Lord Hanuman at that time Sudhakar Kundgar, Ashok Kundgar, Balasaheb Kundgar, Sushil Kundgar, Trimbak Kundgar, Mahadeo Kundgar and Vishnu Kundgar had came towards him. At that time, Sudhakar told to him you are taking sureties I will kill him and therefore, Sudhakar assaulted to him by means of iron Koyata on his head. Ashok and Trimbak assaulted to him by means of sticks. He sustained bleeding injuries.

4] When his son Rahul had came for intervening quarrel Sushil, Mahadeo and Vishul assaulted to Rahul by means of stone. On hearing voice of the quarrel his wife Suvarana had came on the spot along with Digambar. At that time Archana Kundgar assaulted to his wife by means of stone and she sustained injury on her leg. Ashok assaulted by means of stick to Digambar. Then villagers had came on the spot. They intervened the said quarrel.

5] On perusal of the F.I.R., it appears that, on the basis of information given by the injured Dhondiba aforesaid offence is registered against the all accused persons including the present applicant/accused. On perusal of the investigation papers, it appears that present applicant arrested on 10-10-2022. After sufficient P.C.R. they are taken into m.C.R. on 12-10-2022. Further it appears that, present applicants/accused have active role in the said crime. They have assaulted to the informant by means of Katti on his head as well as assaulted to son of informant. Investigation is in progress. According to APP there are various disputes in between informant and the accused persons. As per F.I.R. accused persons were intend to

kill to the informant. So considering this submission and on perusal of investigation papers it appears that, investigation is in progress. If the present applicants are released on bail again they will commit similar offence. Injured informant was admitted at Sahyardi Accident and Neuro Care Center at Latur and he was in door patient near about nine days. So under such circumstances at this stage, present applicants are not entitled to be released on regular bail.

Hence, I proceed to pass the following order.

:: O R D E R ::

Application is hereby rejected.

Date : 19.10.2022.

(V. K. Mande)
Addl. Sessions Judge,
Ambajogai.

Certificate:-

I affirm that, the contents of this P.D.F file are word to word as per original Judgment / order.

Dictated on : 19.10.2022.

Transcribed on: 19.10.2022.

Checked and signed on : 19.10.2022.

Sd/-

(V.L.Bhalekar)

Stenographer Gr-1.