

IN THE COURT OF THE ADDL. SESSIONS JUDGE-I, MAVELIKARA

Present: Smt.V.G.Sreedevi, Addl. Sessions Judge-I

Monday, the 30th day of March, 2026/09th Chaithram,1948

CrI.MP No.06/2026 in SC 620/2025

(Filed on: 16.03.2026)

(Crime No. 145/2025 of the Nooranadu Police Station)

Petitioner/ : Ramakant Sahani,
Accused No.2 S/o Lakhan Sahani, residing at
Gram Post Hasanpur,
Fathehpur, Samasthipur
Bishanpur, Abhi Bhikar

(By Adv.Ashish Mohan.M.A)

Respondent/ : State of Kerala represented by the
Complainant Addl.Public Prosecutor, Mavelikara.

(By Adv. P.V.Santhosh Kumar,
Addl. Public Prosecutor, Mavelikara)

This petition have been finally heard on 26.03.2026 and the court on the 30.03.2026 passed the following.

ORDER

This is a petition filed under Sec.483 of BNSS by the second accused in the above crime registered for the offences punishable u/ss.103(1), 126(2) r/w.3(5) of BNS.

2. Prosecution case is that there was some dispute between the second accused and the deceased Saroj Sanhi since the demand for money for consumption of liquor by the

deceased was declined by the second accused. Because of the said enmity, with intent to cause grievous hurt to the deceased, the first and second accused approached the deceased on 24.01.2025, at 09.42 a.m. while they were near 'Ans Villa' near Palamoodu junction on the Kayamkulam - Punaloor road at Nooranad Panchayath Ward No.10, Puthuppallikunnam Thekkum Muri, and the first accused fisted on the cheek and chest of the deceased and the second accused forcibly held the hands of the deceased and also fisted on his chest and stomach. When Saroj evaded by leaning towards back, the first and second accused held both his hands and restrained him and forcibly fisted on various parts of his body. As a result of the assault, there was injury and contusion in the small intestine of the deceased and because of that, his internal organs got infected and he was admitted at first in KCM Hospital, Nooranad on 24.01.2025 with severe stomach pain. Thereafter, he was admitted in the Government Hospital, Kayamkulam in the early morning of 26.01.2025, and while undergoing treatment, he was succumbed to the injuries at 10.40 a.m. on the said day.

3. According to the learned counsel for the petitioner,

the petitioner/second accused is totally innocent in this case. The petitioner was arrested on 28.01.2025 and since then, he is in custody. The investigation is completed and the final report has already been submitted before the Court. The petitioner has no criminal antecedents. The petitioner is ready to abide the bail conditions without fail. He is ready with sureties. Hence, prays for releasing him on bail.

4. The learned Additional Public Prosecutor has filed objection contending that the petitioner being a native of Bihar, if he is released on bail, there is every chance for him absconding, and he will not co-operate with the trial. It is reported by the Inspector SHO of Nooranad Police Station, in case the petitioner is released on bail, he being a native of another State, there is every chance of him fleeing from the clutches of law and the trial will be adversely affected. Hence, the petition is only to be dismissed.

5. Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor.

6. The only point that arises for consideration is:

Can the petitioner/second accused be released on bail at this stage?

7. **The point:-** The offences alleged against the accused persons 1 and 2 are u/ss.103(1), 126(2) and 3(5) of BNS. The prosecution case is that the accused persons wrongfully restrained the deceased Saroj Sahni and severely manhandled him by fisting on various parts of his body, when there was dispute between the deceased and the second accused in connection with the money demanded by the deceased for consumption of liquor.

8. On perusal of the case records, it could be seen that the first accused was arrested at 15.10 hours on 28.01.2025 and the second accused was arrested at 16.30 hours on the same day. Since then, the petitioner is undergoing custody. The first accused is released on bail as per the order of the Hon'ble High Court in Bail Application No. 1342/2026 dated 12.03.2026, on conditions.

9. According to the learned counsel for the petitioner, the second accused is innocent of the allegations levelled against him. The petitioner is ready to abide all the conditions which will be imposed while granting bail.

10. Considering the fact that the first accused in this case has been granted bail by the Hon'ble High Court, I am of the

view that this petition can also be allowed, having regard to the finding of the Hon'ble High Court. Hence, I am inclined to grant bail to the petitioner/second accused, on conditions. Therefore, this point is found in favour the petitioner/second accused.

11. In the result,

This petition is allowed on the following conditions:-

1. The petitioner/second accused shall be released on bail on executing a bond for ₹1,00,000/- with two solvent sureties each for the like sum to the satisfaction of this Court. The sureties shall be from the State of Kerala.
2. The petitioner/second accused shall appear before the Investigating officer as and when required.
3. The petitioner/second accused shall appear before this Court on all posting dates without any default unless specifically exempted by this Court.
4. The petitioner/second accused shall not intimidate the witnesses or tamper with evidence.
5. The petitioner/second accused shall not leave the State of Kerala without the permission of this Court.
6. The petitioner/second accused shall not involve in any offence during the period of bail. If any such incident

reported or came to the notice of this court, it will be a reason to cancel the bail hereby granted.

(Dictated to the Confidential Assistant transcribed and typed by her, corrected by me and pronounced in open court on this the 30th day of March, 2026.)

**Sd/-
V.G.Sreedevi
Additional Sessions Judge-I**

Appendix: Nil

**Id/-
Additional Sessions Judge-I**