

IN THE COURT OF SESSIONS AT AKOLA.

(Presided over by Smt. S.R. Pahade, Addl. Sessions Judge)

S.T. No. 142/2025

**The State of Maharashtra
Vrs.
Altamash Khan and others**

Applicant-1] Faizan Khan Yunus Khan
2] Sajeda Khatun Yunus Khan

ORDER BELOW EX.10

[Passed on 14.01.2026]

1. This is second bail application under S.483 of Bhartiya Nagarik Suraksha Sanhita, 2023 in connection with crime No.188/2025 registered with P.S.Ural, Tq. Balapur, Dist. Akola for the offences punishable under Sec. 103(1), 351(2), 3(5) of Bhartiya Nyaya Sanhita, 2023.
2. It is contended by the applicants that they are permanent resident of above address mentioned in the application. The applicants are peace loving and law abiding citizen having deep root in the society. They have no criminal antecedents. The applicants having movable and immovable property situated within the jurisdiction of this Court. They are falsely implicated in the above crime to take revenge of domestic dispute. They are innocent. No offence is made out against the applicants as falsely alleged as the allegations against the applicant No. 1 and 2 that

they are beaten to the deceased by fist and legs. On the alleged date of incident, the informant and other persons brought her mother to the hospital of Dr. Aleem. Said Doctor did not find any serious injury. Therefore, she was brought at home. The mother of the informant did not sustained any injury at the hands of the applicants which resulted into her death. It has been learnt them that the deceased was fell down in her house and she sustained injuries on 30.05.2025. Then she would have been died due to that injuries. But the informant deliberately put the false and fabricated story and falsely implicated the applicants. There is delay in lodging FIR. During police custody, the Investigating Officer thoroughly interrogated the applicants. Nothing is to be seized from their possession. The applicant No. 2 is woman, she is burnt more than 50% and required regular medicines. The applicants No.1 is tender age boy and taking education. If the applicants will not released on regular bail, the carrier of the applicant No. 1 will be spoiled. They are ready to co-operate Investigating Officer. The earlier bail application was filed prior to filing of chare-sheet. Now the circumstances have been changed. The Investigation is completed and charge-sheet came to be filed. The applicants are in jail since 30.05.2025. On these grounds, it is prayed that applicants be released on bail.

3. The respondent/State opposed the bail petition by filing say at Exh. 11. It is submitted that the offence is serious. The complainant had been at the house of applicants to take clothes of her daughter. That time, applicants/accused beat mother of complainant with fists blows and kick blows and caused death. There is possibility of pressurizing the witnesses. There is possibility of repetition of offence. The complainant and the applicants are resident of same village. They are relatives of each other. The applicants will tamper the prosecution evidence. As there is sufficient evidence against the applicants. The charge-sheet came to be filed. Seized articles are sent for Chemical Analysis. On these grounds, the respondent/State has prayed for rejection of the application.
4. Heard the learned advocate Mr. P.R. Tayade appearing on behalf of the applicants/accused, the learned A.P.P. Mr. Fundkar for the State. I have also gone through the charge-sheet produced before the Court.
5. As per FIR, on 29.05.2025, the informant had been to demand clothes of her daughter at her son-in-law's house. Sajedabi was present in front of house. She demanded clothes. On that, she refused to give clothes and started to abuse. Mother of informant came to save her, that time applicants/accused in

collusion with each other pulled the hairs of her mother. The accused No. 2-Altamash and accused No. 3-Faizan caused to fell down her mother. They beat with fists blows and kicks blows on stomach, chest and back and caused her death.

6. On perusal of charge-sheet, it shows that the deceased was referred for medical examination. As per postmortem report, the cause of death is shown as, "Hypovolemic Shock Due to Perforation Peritonitis In a Alleged Case of Blunt Trauma to Abdomen". There were internal injuries to the deceased to her small intestine.
7. In the present case, no doubt, the investigation is over and charge-sheet came to be filed by the prosecution. Their previous application was rejected on the reason that there is sufficient material against the applicants and offence is serious. At the time of hearing of that application, the postmortem report was also taken into consideration.
8. Record shows that there is prima-facie sufficient material against the applicants. Previous bail application of the applicants was rejected. The applicants have not challenged the said order before the Higher Court. It is settled that, accused can file successive bail application after filing of charge-sheet, but the accused have to make out circumstantial change which would entitle them for bail. It must

have direct impact on the previous order. Considering the gravity of offence and the punishment, this is not a fit case to exercise discretion in favour of the applicants. The offence is serious and prima-facie there is direct evidence against the applicants. The applicants failed to make out case for grant of bail. With this, I proceed to pass the following order.

ORDER

Application stands rejected.

(Smt. S.R. Pahade)

Date : 14.01.2026 Additional Sessions Judge, Akola.

Certificate

I hereby certify that the contents of this PDF file are same word for word as per original order:

Name of Steno	:	Shamim Sayed
Court's Name	:	District Judge-2 & A.S.J., Akola
Date	:	14.01.2026
Signed by PO	:	14.01.2026
Uploaded on	:	14.01.2026