

MHAU040016862024



**Sessions Case No.103/2024**

**The State Vs. Arun Anton Sonwane and 9 others.**

**Order below Exh.104**

(Passed on : 18.03.2026)

1. This application moved by accused no.4 Anand Anton Sonwane for enlarging him on **regular bail**, in connection with **Crime No.187/2024** registered at **Veergaon** Police Station u/sec. **302, 307,143, 147, 148, 149 and 505 of IPC.**

2. I have read the grounds mentioned in the application. The Ld. APP opposed the application by filing his say overleaf the application.

3. **Concise story of the prosecution case is as under :-**

On 06.06.2024 informant Balu Harku Sonwane lodged report that, the accused by forming unlawful assembly have caused murder of deceased on 05.06.2024 at about 02.30 p.m. on account of land dispute Petras Harku Sonwane who was brother of informant by means of axe, sticks, sickle and iron rod and by driving the tractor on the persons of informant and his brother Petras. Hence, offences punishable under sections 302, 307, 143, 148, 149, 504 of IPC have been registered against the present applicants and others vide crime No. 187/2024 at Virgaon Police Station. Hence, the present FIR.

4. The Ld. counsel for accused no.4 submitted that, the Hon'ble Supreme Court in Criminal SLP No. 5394/2025 while deciding the bail application of accused no.4 have granted liberty to file fresh bail application after examination of eye witnesses. Hence, all the eye witnesses are examined by the prosecution therefore the accused no.4 has moved this application. It is submitted that the eye witnesses during trial had not given any account of any injuries. Thus, the witnesses are not disclosing genesis of the incident. The alleged crime is filed arising out of land dispute. The accused no.4 is behind bars for considerable period. Therefore further detention of accused no.4 is not warranted. The eye witnesses are already examined however the examination of other witnesses will take time. With this, it is prayed to allow the application.

5. The learned APP strongly resisted the application on the grounds that, present application is moved only to protract the trial. The trial is in progress. As per directions of Hon'ble Supreme Court the eye witnesses are examined hence, the application is not maintainable.

6. Having considered submissions of both learned counsel, admittedly regular bail petition of the accused no.4 is already rejected by Hon'ble Supreme Court which was filed after filing of charge-sheet.

7. So far as, trial of the case is concern, this court has already recorded statement of eye witnesses and trial is under progress. It is required to mention the fact on record that on 17.07.2025 the witness was present and the accused has sought adjournment for cross-examination which was rejected and chief examination was recorded. Thereafter on

22.07.2025 the witness was bondover as application for recall of witness was filed. Thereafter on 24.07.2025 the application for setting aside no cross-examination vide Exh.61 was filed which was allowed by court by imposing witness bhatta of Rs.2500/- with specific direction to conduct the trial without fail.

**8.** i. Thereafter again application for adjournment Exh.62 was filed for PW-2 which was allowed subject to witness bhatta of Rs.2500/-.

ii. Thereafter Exh.64 was filed for keeping the matter particularly on 12.08.2025.

iii. Thereafter again on 12.08.2025 Exh.65 was filed on the ground that the counsel is ill which was granted subject to bhatta of Rs.500/-.

iv. Again on 20.08.2025 no cross order was passed against accused although the matter was kept for as per the convenience of counsel accused and no cross-examination order was passed.

v. Again application Exh.69 was filed for setting aside no cross order.

vi. Again on 29.09.2025 application for adjournment Exh.80 was filed which was rejected and no cross order was passed.

vii. Thereafter vide Exh.81 again application for setting aside no cross order was filed. The said application was allowed subject to cost of Rs.30,000/-.

**9.** Considering the evidence adduced on record by the prosecution there is prima facie evidence against accused no.4 Since there

is prima facie evidence against accused no.4 and his bail application is already rejected by the Hon'ble Supreme Court. Hence, considering the nature of offence, the punishment prescribed is imprisonment for life or death. Thus, on the aforesaid grounds, I am inclined to grant bail to accused no.4. Accordingly, I proceed to pass the following order -

**ORDER**

The application Exh.104 is rejected.

Date : 18.03.2026

(Smt. S. K. Upadhyay)  
Addl.Sessions Judge  
Vaijapur.