

MHAU040016862024



**Sessions Case No.103/2024**

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

**Order below Exh.106**

(Passed on : 18.03.2026)

1. This application moved by accused no.5 Sahebrao Dagdu Sonwane for enlarging him on **regular bail** on medical ground, 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.5 submitted that, the accused is suffering from serious illness hence he required proper treatment and care. The accused no.5 is suffering from Psychological disease and unable to remember things. He is undergoing depression hence he is hospitalized in Ghati hospital by the jail authority. The condition of accused no.5 will deteriorate and his mental condition will more worsen if he is not release on bail. The eye witnesses are already examined however the examination of other witnesses will take time.

5. It is further submitted that accused no.5 has moved bail application before Hon'ble High Court bearing Bail Application No.351/2025, wherein, the Hon'ble High Court vide its order dated 11.03.2026 granted liberty to accused no.5 to move bail application on medical ground along-with necessary documents and dispose of application as withdrawn. Hence the accused no.5 has moved this application on medical ground before this court and prayed to allow this application.

6. The learned APP strongly resisted the application on the grounds that, present application is moved only to protract the trial. The jail authority has already provided all medical aid to accused no.5. The Hon'ble Supreme Court has already rejected the regular bail application of accused no.4 Anand Anton Sonwane after filing of charge-sheet. Hence, there is no ground to release the accused no.5 on bail.

7. Having considered submissions of both learned counsel, admittedly the accused no.5 has not filed any document on record in order to show the medical condition of the accused no.5. Most materially this court has already directed to jail authority to provide all medical aid to accused no.5 vide order dated 101 dated 27.02.2026. Accordingly the Jail authority have hospitalized the accused no.5 in Ghati hospital and they are providing medical treatment to the accused no.5. The accused no.5 has not exactly stated nature of disease and his psychological condition.

8. Undisputedly, the jail authority are already providing the medical aid to accused no.5. Under such circumstances, bail on the ground of medical condition is not maintainable. Admittedly, regular bail petition of the accused no.4 is already rejected by Hon'ble Supreme Court filed after filing of charge-sheet. So also the application is not maintainable.

9. So far as, trial of the case is concern, this court has already recorded statement of eye witnesses and trial is under progress. Considering the evidence adduced on record by the prosecution there is prima facie evidence against accused no.5. Accused no.5 is getting treatment at the cost of government. This court has all sympathy for accused no.5 but since there is prima facie evidence against accused no.5, and the earlier bail applications 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.5. Accordingly, I proceed to pass the following order -

**ORDER**

The application Exh.106 is rejected.

Date : 18.03.2026

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