

MHAU160004802026



**Criminal Bail Application No.42 of 2026**

**Laxman Machchindra Ghule**

**V/s.**

**The State of Maharashtra**

**ORDER BELOW EXH.1**

Applicant/accused - **Laxman Machchindra Ghule**, has filed this **Second** application under Section **483** of the of the Bharatiya Nagrik Surkasha Sanhita, 2023 for grant of bail in connection with crime No.I-481/2025 under Sections 105 of the Bharatiya Nayay Sanhita, 2023 registered at Shillegaon, Tq. Gangapur, Dist. Chh. Sambhajinagar.

**Prosecution case in short is as under. :-**

[2] Deceased Mahendra Ghule was the son of informant – Anna Ghule. The applicant/accused and deceased used to work together for loading sand in Trucks. Both of them also used to drink liquor together.

[3] It is alleged that, on 04.12.2025 at about 07:00 p.m the applicant/accused came to the house of the deceased and both of them went to the place where one Sachin Ghule was working. Thereafter, the deceased and Sachin Ghule went to Shahapur by the Tractor of applicant - Laxman Ghule.

They unloaded plywood at the house of one Lilabai Shinde who used to sale liquor. After unloading the plywood they drank much liquor at the shop of Lilabai Shinde.

[4] It is further alleged that, on 05.12.2025 at about 09:00 a.m. one Sudam Tejankar came to the informant and informed him that deceased - Mahendra was lying near Shahapur to Ghodegaon road. Accordingly, the informant went there and found the deceased was lying there unconscious. The informant also found that the deceased had injuries on his back, waist, right elbow, left foot and his body became stiff. Then the informant took the deceased to the Hospital where Doctor declared him to be dead. The Doctor also opined that due to injuries sustained on kidneys, his kidneys might have burst and due to that death might have been occurred.

[5] The informant further came to know that after unloading plywood at Shahapur, the deceased along with the applicant/accused and Sachin Ghule were coming back by Tractor. However, he fell down from the running Tractor and came under the tyre of the Tractor, due to which he sustained injuries and died. The applicant/accused was knowing that the deceased sustained severe injuries and due to the said injuries he might be died, if medical treatment was not given to him. Knowing all these circumstances, the applicant/accused instead of taking the deceased to the hospital for medical treatment,

left him on the spot in injured condition. Thus, the applicant/accused is responsible for the death of the deceased. Hence, the informant lodged the FIR. Accordingly, crime vide C.R.No.I-481/2025 came to be registered. The applicant/accused was arrested on 08.12.2025. His First Bail Application No.262/2025 was rejected by this Court on 13.01.2026. Now the investigation is completed and charge-sheet is filed. Therefore, on the ground of change in circumstances, the applicant/accused has filed this **Second** application for grant of bail.

[6] I have heard both the sides and perused the material placed on the record.

[7] Ld. Advocate for the applicant submitted that the applicant/accused and deceased were not working together. They were resident of same village, hence they were friends. From the allegations made in the FIR it appears that the applicant has no intention or motive behind causing death of the deceased. Investigation is completed and charge-sheet is filed. Nothing remained to be recovered or discovered from the applicant. Hence, his further custody is not required. He is permanent resident of village Ghodegaon, Tq. Gangapur, having no criminal antecedent. It will take much time to conclude the trial of this case. In the circumstances, no purpose of the prosecution would be sufficed by keeping the applicant/accused behind bars. His presence can be secured by imposing certain

terms and conditions. On these grounds, he prayed for grant of bail.

[8] On the other hand, Ld. APP submitted that the nature of the offence is serious. PM report shows that the deceased died due to Retro-peritoneal injury due to blunt trauma at left lower back of the deceased and cardio-respiratory attack. At the time of death of the deceased the applicant was accompanied to him. Instead of taking the injured – deceased, the applicant left him on the spot. Thus, the applicant is responsible for the death of the deceased. In the circumstances, filing of the charge-sheet cannot be the sole ground for grant of bail. If the applicant is granted bail possibility of his absconding and possibility of tampering with the prosecution evidence cannot be ruled out. On these ground he prayed for rejection of the bail.

[9] From the material placed on the record, no doubt it appears that, as the applicant/accused did not take the injured/deceased to the Hospital, his death has been caused. In the circumstances, it cannot be inferred that behind not taking the injured to the Hospital, the accused had an intention to cause his death. Now investigation of the crime is completed and charge-sheet is filed. The applicant is not a hardened criminal. He has no criminal antecedent. He is a permanent resident of Ghodegaon, Tq. Gangapur. There is a remote possibility of commencement and conclusion of the trial in near future. In

the circumstances, no purpose of the prosecution would be sufficed by keeping the applicant behind bars for indefinite period as pre-trial punishment. His presence can be secured by imposing certain terms and conditions.

[10] Having regards to the above mentioned facts and circumstances, I am of the opinion that, the applicant/accused is entitled for grant of bail. In the result, the application deserve to be allowed. I therefore pass following order:

**ORDER**

[1] Applicant/accused – **Laxman Machchindra Ghule**, be released on his executing P.R. bond of Rs.50,000/- (Rs. Fifty Thousand only) with surety of like amount on the following conditions that :-

(a) the applicant/accused shall not tamper with the prosecution evidence in any manner and shall co-operate with the investigating machinery as and when required.

(b) the applicant/accused shall remain present at Shillegaon, Tq. Gangapur, Dist. Chh. Sambhajinagar, on every **Sunday** from 11.00 a.m. to 1.00 p.m. till next **60 days**.

(c) at the time of furnishing bail the applicant/accused shall produce on record proof of his permanent residence.

[2] Issue letter accordingly.

**(S.B. Bahalkar)**

Additional Sessions Judge,

Gangapur, Dist. Chh. Sambhajinagar.

Date:- 16.03.2026