

IN THE COURT OF ADDITIONAL SESSIONS JUDGE BULDHANA.
{Presided Over by A.G. Santani}

MHBU010015152025



Session Case No. 118/2025.
The State of Maharashtra.
V/s.
Ganesh Mahadev Chopde.

APPEARANCE :

Mr. Dnyaneshwar R. Sadar, Ld. Advocate for the Accused.
Mrs. Sonali Saoji - Deshpande, Ld. APP for the State.

ORDER BELOW EXHIBIT 3.
{Passed on 12-02-2026}

01. This is the application, filed by the accused U/sec. 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail in this Crime. He contended that the allegations levelled as against him are false. In fact, his father (deceased) raped his (accused) sister and therefore, she committed suicide by jumping in the Well. In order to save her, his second sister also jumped in the Well and they both lost their lives. Actually, both of his parents were hot tampered and hence, the possibilities that, on that count, his mother (deceased) revolted at his father and therein, both got injured, can't be ruled out. More so, merely on the basis of suspicion, he is arrayed as an accused in this crime. The investigation is complete and this charge-sheet is filed. As such, his custody is not required for interrogation. He is also ready to abide by the conditions of bail. In reply, the Ld. A.P.P objected this application, in view of her say (Exhibit 6) on the counts that, this accused committed murder of his parents. There is sufficient material to assume his participation in commission of the said offence. The lodging of report is prompt. Even, the pieces of broken wooden 'Balli' (stick) were seized on his statement. Hence, this application needs to be rejected. On the other hand, the informant Pralhad Mahadev Chopde filed his say vide Exhibit 7 and extended his 'no objection' for granting bail to the accused, as he has to maintain his family and small children. Heard both the sides.

02. Mr. Sadar, Ld. Advocate for the accused, submitted that, the seriousness of charges can't be the only factor to consider, while deciding the application for bail. Moreover, on the ground alone, the accused can't be denied of his right to be released on bail, if he is otherwise entitled for the same. Further, in Criminal Jurisprudence, he is always presumed to be innocent and granting of bail is entirely within discretion of the Court and it needs to be exercised judiciously. To buttress his submissions, he relied upon the following cases-

- (i). Sanjay Chandra Vs. CBI, (2011 ALL SCR 2930),
- (ii). Shri Tarkeshwar Goraknath Pandey Vs. State of Maharashtra, (2011 ALL MR (Cri.) 1608), and
- (iii). Dataram Singh Vs. State of Uttar Pradesh, (AIR 2018 SC 980).

03. In reply, Mrs. Saoji, Ld. APP for the State, submitted that the accused committed serious offences and there is material to conclude his active role in commission of this offence. Now, the charges as against him are framed and the prosecution is also ready to proceed with the Trial. As such, the application needs to be rejected.

04. Considering their submissions and the record, at the outset, it is to be noted that perusal of record goes to show that on 27.09.2025, the informant - Pralhad Chopde (brother of this accused) lodged report with P.S., Amdapur, informing that, on that day, when he was working in shop at Khamgaon, he received the information from Police Patil - Shrikrushna Dhandare, that this accused picked-up some quarrels with the deceased and by latching the door from outside, he left the house. Having received this information, he rushed to his house and saw that both of his parents were lying as injured. On the basis of such a report, the said police station registered this Crime against the accused. **Here**, notably, police statement of the said Shrikrushna corroborated his version and he stated that having received the telephonic information from Vinod Barate, he apprised this informant about the incident. In addition, even police statement of Vinod

reveals that he saw the accused leaving the house, latching the door from the outside. The record transpires that having arrested, when the accused was in police custody, he made the statement **leading to** discovery of such pieces of wooden Balli (stick), which was allegedly used as a weapon for commission of this offence. Accordingly, the said pieces came to be seized from his end. Thus, this fact was discovered in view of his statement. This way, at this juncture, the investigation could satisfactorily **link** his nexus with the incident. Now, justifying his release on bail, he contended that, in fact, as his deceased father committed rape on his sister, she committed suicide. Not only this, while saving her, his another sister also lost her life. Therefore, his deceased mother was having a grudge against his deceased father and therefore, the possibility that they assaulted each other can not be ruled out. More so, he is implicated in this case merely on the basis of suspicion. However, there is no iota of material on record to readily infer his contentions. On the contrary, **prima-facie**, the investigation could link him with commission of double murder of both of his parents.

05. I have gone through the ratios laid down in above cited cases. However, with all respects, I am of the opinion that the same aren't much appealing to the present set of facts. **True** that seriousness of the charge is not only criteria while considering the application for grant of bail and on this count alone, the application can not be thrown away. Moreover, I am in complete agreement with the proposition that there is a presumption of innocence standing in favour of the accused, till his guilt is proved beyond the shadow of doubt. More so, granting of bail is the rule and its rejection is an exception. However, on application of these principles to the case in hand, apparently, the allegations against this accused seem **well founded**. The charge is framed and the prosecution is also inclined to proceed with the matter. On this backdrop, at this stage, despite no objection from the informant, I am not inclined to enlarge the accused on bail. Obviously, as the accused is required to maintain his

family, the gravity of the fact that, he murdered both of his parents can not be diluted. Hence, the Order:

-: ORDER :-

01. The application (Exhibit 3), for grant of bail, stands rejected.

Buldhana.

Dated : 12.02.2026.

{A.G. Santani}

Addl. Sessions Judge, Buldhana.

District : Buldhana.

Certificate

I affirm that the contents of this order are same word for word as per original.	
Name of Court	Additional Sessions Judge, Buldhana.
Name of Steno	Sanjay Chaudhari (Steno Grade I)
Pronounced on	12/02/2026
Upload Date	16/02/2026