



Sessions Case No. 89/2025
State X Dhananjay Hiwrale
CNR-MHBU04-001148-2025

ORDER BELOW EXH. 09

Date of Order : 16th October, 2025

Present application has been filed by the applicant/accused namely **Dhananjay @ Shankar Gorakh Hiwrale**, under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail, in Crime No. 148/2025 registered at Khamgaon Rural Police Station, Taluka Khamgaon, District Buldhana for the offence punishable under Section 103(1) of the Bharatiya Nyaya Sanhita, 2023.

2. Ld. A.P.P. Mr. U.S. Apte has resisted the application by filing say at Exh. 11. It is contended that, accused and complainant are relative of each other. Therefore, if he released on bail, then again cognizable offence is likely to be placed. Moreover, if accused released on bail then he will pressurize the witnesses from deposing before the Court. Hence, requested to reject the application.

3. Heard Mr. S.V. Sadanshiv, Ld. Advocate for accused. He also placed on record the written notes of arguments. It is submitted that, applicant/accused

arrested on 30/04/2025 and produced before the Court on 01/05/2025. On 01/05/2025 he is remanded Police custody till 03/05/2025. Since 03/05/2025 he is behind bar. The investigation has been completed and charge-sheet has been filed. Therefore, his further detention is not necessary. He is earning member of his family. If accused released on bail, he will abide each and every condition imposed while releasing on bail. He will attend the Court regularly, if he released on bail. Hence, he urged that considering the ground of application accused may be released on bail.

4. On the other hand, Ld. A.P.P. Mr. U.S. Apte has submitted that, accused has committed the serious offence of murder of his father. Prosecution is ready for speedy trial. If accused released on bail then he will pressurize the complainant and witnesses from deposing before the Court. Hence, he urged not to release the accused on bail till examination of material witnesses.

5. I have thoughtfully considered the submissions of both sides. Perused the application, say filed by the A.P.P. as well as the entire charge-sheet.

6. After perusal of entire charge-sheet, it shows that, complainant Arun Dhondopant Hiwrale, the brother of deceased Gorakh Dhondopant Hiwrale has lodged the report at Khamgaon Rural Police Station on 30/04/2025. It is alleged that, on same day he received mobile phone call the ex-Sarpanch of village Loni Gurav that his brother Gorakh Dhondopant Hiwrale has been killed by unknown person and kept at his house. Therefore, complainant went to the house of deceased and saw his brother was lying in dead condition. He was sustained bleeding injury on head and both legs. On inquiry with his nephew Dhanajay Hiwrale who told him that on 29/04/2025 at 9:00 pm his father deceased Gorakh Hiwrale under influence came to the house. At that time there was quarrel taken place between him and his father. His father abused him, therefore, he became angry and assaulted by wooden rod on the head of deceased. He also assaulted on his both legs due to it he sustained bleeding injury and died on the spot.

7. After perusal fo charge-sheet and statement of witnesses, it shows that, there is sufficient evidence against the accused. Alleged offence is serious offence which

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provides the punishment of life imprisonment or death sentence. Considering the nature of offence and the role of applicant attributing in commission of offence of murder, I am not inclined to release the applicant on bail. Hence, application deserves to be rejected. In result, I pass the following order :-

ORDER

The application Exh. 09 is rejected.

Khamgaon.

Date – 16/10/2025.

(G.B. Jadhav)

Additional Sessions Judge,
Khamgaon.

CERTIFICATE

I certify that this order P.D.F. uploaded is a true and correct copy of original signed order.

Name of the Court : Additional Sessions Judge,
Khamgaon.

Name of the Stenographer : Miss H.D Chaudhari,
Stenographer Grade I.

Date of Order : 16/10/2025.

Date of Uploading : 16/10/2025.