



Sessions Case No. 67 / 2025
Ramdas Khillare Vs. State of Maharashtra

Order below Exh. 29 In Sessions Case No. 67 / 2025

(Passed On : 07.07.2026)

1) The accused No.3 Ramdas Sampat Khillare (for short “the accused”) has moved this third application under Section 483 of the Bhartiya Nagarik Suraksha Sanhita (for short “the BNSS”) for seeking a regular bail in connection with Crime No. 89 / 2025 which is registered against him and other accused at Sakharkherda Police Station, Tq. Sindkhed Raja, Dist. Buldhana as per offences punishable under Sections 103 (1), 118 (1), 115 (2), 296, 351 (2), 49, 125 (B), 3 (5) of the Bharatiya Nyaya Sanhita.

2) First Information Report in connection with Crime No. 89 / 2025 of Sakharkherda Police Station is lodged at the instance of the informant Shri. Krushna Digambar Kavhale, resident of village Goregaon, Tq. Sindkhed Raja, Dist. Buldhana. The Investigating Officer Shri. Gajanan Karewad, Assistant Police Inspector of Sakharkherda Police Station has conducted investigation and presented the charge-sheet against the accused.

3) It is the case of prosecution that the informant is a son of deceased Digambar Chindaji Kavhale. On 18.03.2025 at about 9.30 a.m. when the informant and his father were sitting outside their house one Ramdas Khillare (the accused) threw a stone at the informant uttering foul words and abused them in filthy language. Further, the co-accused Shobha Kavhale brought iron rod and axe from her house and gave it to other co-accused for attacking the father of the informant. One of the co-



Sessions Case No. 67 / 2025
Ramdas Khillare Vs. State of Maharashtra

accused allegedly hit on the hand of the informant and when the informant tried to intervene to save his father the informant was also assaulted. The injured father of the informant died during treatment i.e. after 5 days of the incident on 23.03.2025.

4) Initially first incident occurred on 16.03.2025 when the co-accused Shobha Kavhale and accused Ramdash Khillare were doing some indecent activity on the road to which family of the informant objected and there was a quarrel between them.

5) The accused states that, this is the Third bail application before this Hon'ble Court. He is old aged, law abiding & innocent person. He has not committed any offence as alleged against him. He has permanent abode and immovable property. There is no likelihood of fleeing him away from the course of justice. He has no concern with the alleged incident, nor has nexus with the alleged incident by any manner. He has no concern with the deceased Digambar Chindagji Kavhle. He has no previous enmity, grudge or discord with the deceased. There was no motive or intention to commit any offence as alleged.

6) The accused further states that, the deceased was in normal condition till morning 23rd March 2025. However, he was taken to hospital as a routine. This fact indicates that the deceased had not suffered any major injury in scuffle. The deceased might be suffering from heart problems. As per reports of CA there was 50% heart blockage. The deceased died on 23rd March 2025 due to unknown reason. Taking the disadvantage of situation and under flow of anger, the informant lodged the false report to Police Station, Sakarkherda against the accused



Sessions Case No. 67 / 2025
Ramdas Khillare Vs. State of Maharashtra

and others. Nothing incrementing is seized from the actual physical possession or custody of the accused. The accused has not used any weapon. Nor he caused any vital deadly injury to deceased, which is sufficient to cause death. The accused was falsely named and implicated in the present crime on the basis of false, delayed and after thought allegations.

7) The accused further states that as per prosecution allegations the role attributed to him is that he assaulted informant Krushna on his both legs. However, as per First Medical Examination Certificate only "Blunt Trauma" injuries found on the thigh and legs of informant Krishna which are "SIMPLE INJURY". So also other injuries were also "simple injuries". So called injuries caused to informant Krishna are totally simple injuries and thus it indicates that the accused is not responsible for even any serious injuries.

8) It is specifically stated that the investigation in this crime is already completed and charge-sheet is also filed. Filing of charge-sheet is the change in circumstance to reconsider the bail plea of the accused. The co-accused Shobha Kavhale was released on regular bail by Hon'ble Bombay high court Bench-Nagpur on dated 02.04.2026. As per rule of parity the accused who is old aged is also entitled for bail. The accused is behind the bars since more than 394 days without trial. There are 30 witnesses named in the list of witnesses. It will take a long time for prosecution evidence. Then there is defense witnesses. There is prolonged detention of the accused since last more than 394 days. There is no likelihood of completion of trial in near future and trial will take



Sessions Case No. 67 / 2025
Ramdas Khillare Vs. State of Maharashtra

considerable long time. The accused may kindly not be awarded the punishment before the trial. The accused states that he undertakes not to tamper any of the evidence or to threat any of the witness if their liberty is protected and attend the dates of trial. Lastly, it is prayed that the applicant be released on bail.

9) On behalf of the prosecution side, the Investigating Officer has presented say / reply at Exh. 31 and thereby contested to the above prayer of bail made by the accused. The prosecution contends that there was an illicit relation between the accused and co-accused Shobha Kavhale & the local witnesses stated this fact to the police. If the accused is released on bail then he will tamper and threat to the witnesses. There is danger to the life of the informant and witnesses from the accused. A possibility of committing another body offence against witnesses at the instance of the accused cannot be denied. Lastly, the prosecution has prayed that the instant bail application may be rejected.

10) Heard Learned advocate Shri. Dinode for the accused and Learned APP for the prosecution.

11) The first and foremost submission of Learned advocate Shri. Dinode is that a role of the accused (Ramdas Khillare) is limited only that he assaulted informant Krushna on his both leg. There is no role of the accused in causing injury or assault to the deceased. In the first medical certificate, it is shown that the informant sustained “Blunt Trauma” injuries on thigh and leg which are simple injury. Absence of injuries of iron rod on the legs of the informant rules out the possibility



Sessions Case No. 67 / 2025
Ramdas Khillare Vs. State of Maharashtra

of involvement of the accused in the alleged crime. Per contra Learned APP has contended that the accused and other co-accused were simultaneously participated in the alleged crime though they committed a different offensive acts. The first information report clearly shows that on the day and time of the incident when informant and his father were sitting in front of their house, the accused pelted the stone at the informant. Not only this but the accused also abused to the informant in filthy language in the name of his mother and daughter. Moreover, co-accused Shobha brought iron rod & axe from the house and handed over to the accused as well as other accused Rahul Kavhale and Akash Kavhale and told them to beat the father of the informant. According to Learned APP the accused played an active participation and role in the alleged crime.

12) On the background of above controversial submissions I have carefully gone through the recitals of the first information report and material placed on record of this case. Upon careful scrutiny of the same, it is transpired that the accused and others were simultaneously present at the time and place of the incident. The accused pelted a stone at the informant and also beat him with iron rod who thereby sustained injuries. This fact is supported by medical documents & statements of the witnesses.

13) In regard to another submission of Learned advocate Shri. Dinode that the accused has a limited role in the alleged crime, it is significant to mention that a simultaneous participation and involvement of all the accused is clearly seen in the alleged crime. Not only this but



Sessions Case No. 67 / 2025
Ramdas Khillare Vs. State of Maharashtra

also prior to two days of the incident i.e. on 16.03.2025 an altercation took place between the accused (Ramdas) and the father of the informant in respect of indecent behavior of the accused and co-accused Shobha Kavhale. A possibility indicates of the accused having motive / intention behind alleged offensive act due to earlier dispute could not be denied. A ground of limited and subsidiary role of the accused in the alleged crime and / or his innocence cannot be decided at this stage. So far as the question of parity, it is significant to mention that the co-accused Shobha Kavhale is woman and therefore she has been enlarged on the bail upon considering her womanhood by Hon'ble Bombay High Court Bench at Nagpur. In this circumstance, a ground of parity is not applicable to the accused.

14) In the case at hand there is no material to indicate that there was a reasonable apprehension of death or grievous hurt to the accused at the hands of the informant or the deceased. Nor is there material to prima-facie make out a case of grave and sudden provocation to the accused at the instance of the informant or the deceased. The police paper shows that the accused with common intention assisted the other accused in committing alleged crime at the time and place of the incident. There is a strong incriminating circumstance and material against the accused in connection with the alleged crime. The offence punishable under Section 103 (1) & 118 (1) of the BNS are very serious and non-bailable. Though the charge-sheet is filed and charge is framed against the accused, however, looking to the serious nature of the offence it would not be just and proper to release accused on bail at least up to examination of material eye witness. Therefore, I am not persuaded to



Sessions Case No. 67 / 2025
Ramdas Khillare Vs. State of Maharashtra

exercise a discretion of granting bail to the accused. With this view, I proceed to pass following order.

- ORDER -

The instant bail application (Exh. 29) stands rejected.

Place : Mehkar
Dated : 07.07.2026

Sd/-
(Rajendra J. Tambe)
Additional Sessions Judge,
Mehkar, Dist. Buldhana.



Sessions Case No. 67 / 2025
Ramdas Khillare Vs. State of Maharashtra

CERTIFICATE

I affirm that the contents of this PDF file Order / Judgment are correct word to word as per the original.

Name of Court : Shri. Rajendra J. Tambe
Additional Sessions Judge,
Mehkar, Dist. Buldhana.

Name of Steno : Sandip Ramdas Nikalje,
Stenographer, Grade-3, Mehkar.

Judgment/Order Signed by P.O. On : 07.07.2026

Judgment/Order uploaded on : 07.07.2026