

Bail Application in Sessions Case No. 476/2019

Ajit Mungnath Shinde

Vs.

State of Maharashtra

(CNR NO. MHBUE0-001677-2019)

ORDER BELOW EXH. 32

(Passed on this the 01st Day of December, 2025)

01] Applicant - **Ajit Mungnath Shinde** has filed regular bail application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita for grant of bail in crime No. 114/2018, under Sections 307, 452, 323, 143, 147, 148 r/w 149 of the Indian Penal Code and under Section 4/25 of the Arms Act, registered at Police Station, Sindkhed Raja.

02] It is the case of prosecution that on 14.06.2018 at 01.30 a.m. the informant and his family members were present at their house at Jijamata Nagar, Sindkhed Raja. On hearing noise of motorcycle, son of informant had gone out of the house. At that time accused Kishor Bhosale gave sword blow on the hand of the son of informant. Therefore, he shouted loudly. Accused Kishor Bhosale, Parbatrao Shinde, Ajitkumar Shinde and two other accused entered into the house of the informant armed with sword, revolver, *Gupti* and sticks. Accused Kishor asked to the husband of informant that "you are informer of the police". On that count accused Kishor Bhosale stabbed sword into the stomach of Manohar Pawar on two to three time, whereas other accused

beat him by means of stick on his head. Manohar got grievous injuries on his stomach and head. Accused Parbatrao gave threat of life on the point of revolver, whereas accused Ajit and other unknown accused assaulted him. On the report of the informant an offence came to be registered against accused person at Police Station, Sindkhed Raja.

03] Learned counsel Mr. S. H. Navghare vehemently argued that the applicant is innocent. He has no concern with this crime. His role is limited to the extent of beating to the husband of informant. There is no allegation against the applicant in report and first information report that he stabbed *Gupti* or knife to any one. Only allegation against the applicant is that he was present in the house of informant along-with other accused person. The applicant is laying in jail from dated 20.04.2022 and the prosecution is not going to examine any witness. Eight to ten times summons were issued to informant, but she deliberately remains absent to prolong the trial. There is no progress in trial and therefore, it would take sufficient time to reach at conclusion. The applicant has severe problem of kidney-stone and for that purpose he was advised to undergo for surgery. Hence, for the aforesaid reasons applicant is entitled to be released on conditional bail

04] Per contra, learned A.P.P. Mr. U. S. Aapte strongly opposed bail application on the ground that five severe offence of attempt to commit murder, extortion and robbery are pending

against the applicant. The applicant has taken active participation in the commission of crime to commit the murder of the husband of informant. He further submitted that applicant and prosecution witnesses are residing in same locality and therefore, applicant can easily tamper to prosecution's evidence. On these grounds, learned A.P.P. prayed to reject the bail application.

05] Pursuant to charge-sheet, say of Investigating Officer it explicit that on 14.06.2018 the applicant along-with other accused person have assaulted to the son and husband of the informant by deadly weapons like sword, sharp knife and sticks. The reason behind this crime was that husband of the informant was informer of the police and therefore, accused attempted to kill him. This means that accused person can threatened to anyone, if that person gave information about them to police official. Beside this fact, all the accused have actively participated in this crime and thereby caused grievous injuries into the stomach, head of the husband of the informant and grievous injury on the hand of the son of informant. Those injuries are sufficient to cause death of any person in ordinary course of business.

06] The charge was framed against the accused person and the trial is commenced. One witness namely, Sanjay Madhavrao Chavhan is examined by the prosecution. There is progress in trial. As per the say of prosecution, the applicant was absconded from 14.06.2018 to 20.04.2022. Other accused in this crime are already

absconded, therefore, there is likelihood of absconding the applicant on releasing him on bail. Moreover, severe offences of extortion, robbery and attempt to commit murder are pending against the applicant at various police station, which indicates that the applicant has strong criminal background, which is sufficient to infer that he can easily tamper to prosecution's evidence and flee from justice. Hence, considering nature and gravity of the offences, punishment prescribed thereof, role of applicant and his criminal background, present application is liable to be rejected.

With this, I proceed to pass followed order.

- O R D E R -

Regular bail application (Exh. 32) is rejected.

(Dictated and pronounced in open court).

Place: Mehkar
Date : 01.12.2025

(Sagar K. Mungilwar)
Additional Sessions Judge
Mehkar, Dist. Buldhana

Certificate

I affirm that, the contents of this PDF File are same words to words, as per the original Judgment/Order.

Name of Stenographer : Shaikh Imran Abdul Rauf

Court : Additional Sessions Judge Mehkar

Order date : 01.12.2025

Order Signed by the Presiding

Officer on : 01.12.2025