

MHGA010000162018



**IN THE COURT OF AD HOC DISTRICT JUDGE -1 &
ADDITIONAL SESSIONS JUDGE AT GADCHIROLI**
(Presided over by Shri V.S. Khot)

Sessions Case No.01/2018

State Vs Pundalik & others

- 1] **Pundalik Sawaji Madavi**
Age: 45 yrs, Occupation : Agri
- 3] **Ravi @ Ravindra Chintaman Madavi**
Age: 30 yrs, Occupation : Agri
Both R/o Shirpur, Tah-Kurkheda
Dist-Gadchiroli
- Applicants**

...Versus...

State of Maharashtra
Through Police Station Officer,
Police Station, Kurkheda
Tah-Kurkheda,
Dist- Gadchiroli

.... Non-applicant

.....
Order below bail application Exh-38, dated 26.11.2025.

(Passed on 26.11.2025)

- 1] The accused persons are filed this bail application for their release.
- 2] The accused persons brought before me in execution of warrants. They have filed this application contending therein that no contact was made between the accused and counsel. Therefore, they remained absent.

3] The order of non-bailable warrant came to be issued against them. They are ready to file surety. They are resident of Shirpur. They are law abiding and family loving persons. They are ready to follow the conditions.

4] The say of prosecution came to be adduced. The prosecutor submitted that the surety is already forfeited. Therefore, the accused are not entitled to be released on bail. If the accused released on bail, they would abscond again. The application for bail be rejected.

5] In view of rival contentions of the applicant and prosecution following points arise for my determination and I have recorded my findings subject to the reasons as mentioned hereinafter.

Sr. No.	Points	Findings
1.	Whether the applicants/accused are entitled to be released on bail as prayed ?	.. Yes
2.	What order ?	As per final order

Reasons

As to point nos.1 & 2 :-

6] In this case, the accused are brought before me in execution of NBW, as they infringed the conditions of bail. The accused were already released on bail. Therefore, there is no impediment in releasing the accused persons on bail. Moreover, they are not of dangerous nature and their release would not be prejudicial to the society at large. The accused persons are required to be remained present on the dates and if they follow

this condition, then there is no hurdle in releasing the accused persons on bail. But the accused persons have infringed the previous bond. They have admitted in the bond that they would forfeit Rs.15,000/- in case of their default. They have committed default. Therefore, they are liable to pay Rs. 15,000/- each to the State. But Adv. Shri Bramhanwade for the accused submitted that they are agriculturists and some leniency be shown. In view of submission, I am of the view that each accused to deposit Rs. 10,000/- to the State for making default. In view of the abovesaid discussion, my answer to point no.1 is in affirmative and I am inclined to pass following order for granting of bail.

- O R D E R-

- 1] The Bail Application vide Exh. 38 is allowed.
- 2] The accused/applicants stand enlarged on bail of Rs. 15,000/- with one surety in like amount in crime no.048/2016 of P S Kurkheda registered u/s 324,329,34 of IPC.
- 3] The accused/applicant shall attend the dates of the case without fail.
- 4] The accused shall deposit Rs. 10,000/- each for making the default.
- 5] Surety be furnished.

sd/-

(V. S. Khot)

Ad hoc District Judge-1 &
Additional Sessions Judge,
Gadchiroli

Date : 26.11.2025