

MHGA010005592025



IN THE COURT OF ADDL. SESSIONS JUDGE, GADCHIROLI
(Presided over by Shri Pravin V Chatur)

Sessions Case No. 76/2025

State of Maharashtra through
Sub P.S.O. of Police Station, Purada
District : Gadchiroli.

.. *Prosecution*

-Versus-

Sunil Dewaji Bhakhar
Aged 31 years, Occ. : Labour,
R/o. Dadapur,
Tah. Kurkheda, District : Gadchiroli.

.. *Accused*

O R D E R (Below Exh.09)
(Passed on : May 25, 2026)

1] This is an application for the modification/relaxation of a condition in the bail order, filed in accordance with the directions issued in Suo Motu Writ Petition (Criminal) No. 4/2021. It is submitted that this Court had granted bail to the accused, directing his release upon furnishing a solvent surety of Rs. 25,000/-. However, the office of the Legal Aid Defense Counsel System (LADCS) has no information regarding the family members of the accused. The accused has been in magisterial custody for a prolonged period and is consequently unable to arrange a surety. Therefore, it is prayed that he be released on a personal recognizance (PR) bond and granted time to arrange a

solvent surety, by modifying/relaxing the conditions of the bail order dated 17.04.2026.

2] The Learned Assistant Public Prosecutor (APP) opposed the application, submitting that the charge has already been framed. It is further argued that if the accused is released on a PR bond, there is a strong possibility of him absconding. Hence, the Learned APP prayed for the rejection of the application.

3] I have heard the Learned APP for the State, the Investigating Officer, and the learned counsel for the applicant, and have carefully perused the record.

4] In view of the directions issued by the Hon'ble Supreme Court in the aforementioned Writ Petition, if an undertrial prisoner requests that he be permitted to furnish a bail bond or surety post-release, the Court may, in appropriate cases, consider granting temporary bail for a specific period to enable the accused to arrange and furnish the required bail bond or surety.

5] The accused stands charged with an offence punishable under Section 109 of the Bharatiya Nyaya Sanhita (BNS). As per the allegations in the FIR, he attempted to assault the informant with an axe. However, there are no allegations or material on record to suggest that the informant sustained any injury due to the said attempt. Consequently, the offence falls under the first part of Section 109 of the BNS, which attracts a maximum punishment of up to 10 years of imprisonment. Considering this aspect, and as argued by the Learned Counsel for the accused with respect to the bail order dated 17.04.2026, the accused is genuinely unable to furnish a solvent surety since the office of the LADCS lacks information regarding his

family. Therefore, this appears to be a fit and appropriate case to release the accused on a PR bond to afford him an opportunity to arrange a solvent surety. Accordingly, I pass the following order:

O R D E R

- 1]** The accused, namely Sunil Dewaji Bakhar, is ordered to be released on executing a Personal Recognizance (PR) bond of **Rs. 25,000/-** for a temporary period of **one month**.
- 2]** The accused is directed to furnish a solvent surety, as stipulated in the original order dated **17.04.2026**, upon the expiration of the said one-month period.
- 3]** Inform the concerned Jail Superintendent accordingly.

Gadchiroli.
May 25, 2026.

(Pravin V. Chatur)
Addl. Sessions Judge,
Gadchiroli.