



**IN THE COURT OF ADDITIONAL SESSIONS JUDGE,  
GONDIA.**

**S.T. No.30/2026.**

**[CNR NO.MHGO010004802026]**

**ORDER BELOW EXH.04.**

(Passed on this 31<sup>st</sup> March, 2026)

1. Present application is filed by applicant/accused by name **Maroti Modaku Thakare** under Section 483 of B.N.S.S to release him on bail in Crime No.241/2025 registered with Police Station Navegaonbandh for offence punishable under Sections 109 of BNS.

Brief facts of the case are as under:

2. Sitabai is wife of applicant/accused. On Dhabepawani to Chichgad road in the vicinity of forest of the Khadighat applicant took the injured Sitabai 100 mtrs away from the road. He sat on the chest of injured and took a matel from the heap of matels and assaulted on the head of injured Sitabai by means of such metal and caused grievous injury. One Digambar Nandeshwar lodged report of the incident in police station Navegaonbandh. On the basis of his report offence under section 109 of BNS has been registered vide Crime No.241/2025. During investigation applicant has been arrested on 22-12-2025. Recovery of clothes of injured and

applicant were made. So also blood mixed soil and stone with blood were recovered from scene of occurrence. During investigation complicity of applicant revealed in the said crime so charge-sheet has been filed against him in the court.

3. Applicant submits that false allegations are made against him. He has not committed alleged offence. Injured was initially taken to Government hospital. Thereafter, she was taken to private hospital at Sakoli. Doctor did not find injury sustained by her as life threatening so she was not admitted in the hospital and returned to her house. Since then she is residing at her house and carrying out normal activities. There is no previous enmity between applicant and victim and as per victim quarrel has taken place suspecting her character by applicant. He submits that investigation is over. There was no intention on the part of applicant to cause the death of victim. The alleged injury was caused in heat of moment. Alleged weapon is not deadly weapon. Applicant further submits that he is 60 years old and suffering from various ailments and disease. Therefore, requested for his release on bail.

4. I.O filed say vide Exh.05 and opposed application on the ground that applicant has committed said offence by suspecting character of his wife. Said offence is serious. In case of release of applicant on bail he would commit serious offence and there is possibility of repetition of offence and he will pressurize informant and witnesses so as to dissuade them from adducing evidence. Moreover applicant is of quarrelsome

nature and will commit grave offence. Therefore, requested to reject bail application.

5. Learned DGP filed say vide Exh.06 and opposed application on the ground that applicant with intent to kill injured his wife by assaulting on her head. There is ample evidence against applicant. There is possibility of tampering eviden if he will be released on bail and there is possibility his repetition of offence. Therefore, requested to reject bail application.

6. Victim/ injured filed say vide Exh.07 and has no objection for release of applicant on bail.

7. Perused record and proceeding of present case. Heard Ld. Advocate for applicant and Ld. DGP

8. It is pertinent to note that in present crime applicant has been arrested on 22-12-2025. Charge-sheet is already filed which indicates that investigation is over. It shows that applicant is 60 years old. No doubt there is material showing prima-facie complicity of applicant in the present crime. But it cannot ignored that victim/injured seems not to have been admitted in hospital for injuries suffered by her. MLC shows that injured sustained laceration on forehead above eyebrow, nusal bridge, an abrasion radiating from injury over forehead. CT'scan report shows that skull vault appears normal. Since alleged incident more than three months

passed. There is no possibility of aggravation of aforesaid injury. It appears that informant has not sustained any skull fracture. Although recently case is committed to this court and charge is yet to be framed but completion of trial would take its own time. Moreso injured has no objection for grant of bail to the applicant. In the facts of matter applicant has made out case to grant bail. Hence, this order.

### **ORDER**

- 1] Application [Exh.4] is allowed.
  
- 2] Applicant **Maroti Modku Thakare** be released on bail in Crime No.241/2025 registered with police station Navegaonbandh on his executing PR bond of Rs. 25,000/- and furnish one surety in like amount on the following conditions:
  - i] Applicant shall stay away from the vicinity of village Jambhadi, Tah. Arjuni Morgaon, Dist. Gondia for the period of 6 months.
  
  - ii] Applicant shall attend this court regularly.
  
  - iii] Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him or her from disclosing such facts to the Court or to any police officer.
  
  - iv] Applicant shall not commit offence of like nature.
  
  - v] Applicant shall give in writing to Court and I.O. about place of his abode with address proof upon

his release on bail.

3] Accordingly, application stands disposed of.

sd/-

( M. T. Asim )

Date: 31-03-2026.

Additional Sessions Judge,  
**Gondia.**