



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

S.T. No.46/2026.

[CNR NO.MHGO010009152026]

ORDER BELOW EXH. 04 .

(Passed on this 25th June, 2026)

1] Present application is filed by applicant **Suresh Mohanlal Chaudhary** under section 483 of BNSS for grant of bail in Crime No.166/2026 for the offence punishable under sections 103, 109(1), 352, 3(5) of BNS registered with police station Amgaon.

Brief facts of the case are as under:

2] It reveals from FIR that on 16-02-2026 at 7.00 pm when informant came to house his daughter told to him that uncle Suresh and his son (child-in-conflict with law) assaulted grandfather. So he went towards his father, at that time his father Mohanlal Chaudhary was lying beside the edge of road. Informant asked him about incident. He disclosed that Suresh and grandson (child-in-conflict law) quarreled with him by uttering words “mere ko aur mere ladake ko ghura diya aur hamako barbad kar diya”. He also disclosed that they abused him and by dragging him on the road thrown him on road and caused injury to his head, chest and stomach. Blood was

oozing from the nose of his father so he took his father to Rural Hospital Amgaon in Ambulance. Thereafter, he lodged report with police station Amgaon. On the basis of report lodged by informant offence has been registered against the applicant and CCL under sections 109(1), 352, 3(5) of BNS with police station Amgaon vide Crime No.166/2026. As injured Mohanlal Chaudhary died on 28-02-2026 during treatment in GMC Nagpur so section 103(1) of BNS has been added.

3] Applicant submits that he has been arrested on 17-02-2026. Since then he is behind bars. He is wrongly involved in present crime. He is permanent resident of Mundipar. Two minor sons are dependent upon him. His family is suffering lot. Charge-sheet is filed and investigation is completed. Therefore, requested to grant bail.

4] I.O filed say vide Exh.05 and opposed the application on the ground that offence is serious. Injured Mohanlal Chaudhary died during treatment and section 103(1) has been added in this crime. Applicant and eye-witnesses are resident of same village and also relatives of each other. In case of release of applicant on bail there is possibility that he will commit serious offence and also pressurize witnesses and induce them so as to dissuade them from adducing evidence before the court. Therefore, requested to reject bail application.

5] Learned APP Shri Pardhi filed say on overleaf of present application and opposed it on the ground that charges levelled against applicant are serious. Applicant has committed murder of his own father. There are two eye-witnesses who are relatives and minor. In case of release of applicant on bail possibility cannot be ruled out that applicant may threaten witnesses so as to prevent them from disclosing fact during trial. Therefore, requested to reject bail application.

6] Perused record and proceeding of present case. Heard learned Advocate for applicant and learned APP Shri Pardhi.

7] It is to be noted that in view of judgment of the Hon'ble Apex Court in the case of ***Zeba Khan vs State of U.P and others, 2026 INSC 144*** applicant has not disclosed about rejection his previous bail application bearing Misc. Cri. Bail Application No.127/2026 vide order dated 02-05-2026. This amount to suppression of facts and it can be gathered that applicant has not come with clean hands before this court. On this count alone his application is liable to be rejected. Even otherwise there are eye-witnesses who had seen applicant and CCL assaulting deceased Mohanlal Chaudhari. PM report shows that death of Mohanlal Chaudhari was caused due to head injury. It also shows that deceased Mohanlal had sustained multiple injuries which were antemortem in nature. Thus, statement of eye-witnesses is also supported by medical

opinion. It is clear that material witnesses are close relatives of applicant. It cannot be ruled out that in case of release of applicant on bail at this stage, he will pressurize those witnesses so as to dissuade them from adducing evidence before the court. Moreso offence against applicant is grave and serious and there is prima-facie material showing complicity of applicant in the said crime. No doubt charge-sheet has been filed but considering the facts as mentioned above it is not just to exercise discretion to enlarge applicant on bail. Hence, this order.

ORDER

- 1] Application [Exh.04] stands rejected.
- 2] Accordingly, application stands disposed of.

Date:25-06-2026

(M. T. Asim)
Additional Sessions Judge,
Gondia.