



IN THE COURT OF ADDITIONAL SESSIONS JUDGE, GONDIA.

Misc. Cri. Bail Application No.190/2026.

(CNR No.MHGO010009592026)

Santosh -vs- State of Maharashtra

ORDER BELOW EXH.1

(Passed on this 11th June 2026)

1] Present application is filed by applicant **Santosh s/o Tanuji Donode** under section 483 of BNSS for grant of bail in Crime No.237/2026 for the offence punishable under sections 121(2), 132, 221, 352 r/w section 3(5) of the BNS registered with police station Amgaon.

Brief facts of the case are as under:

2] On 05-04-2026 at about 20.00 hours informant alongwith other police staff went to the house of applicant Santosh Donode at Kidangipar to execute notice under section 168 of BNSS. When they called applicant, he came outside his house alongwith co-accused. Informant asked to them to take said notice. On that applicant and co-accused quarreled with them and asked them as to why they came to their house and also told to them to go from there. Informant and his staff tried to give understanding to them. On that applicant abused them by uttering words “salyano nigha amche gharasamorun, amhala kontihi notice ghyachi nahi, mara salyana” and rushed towards them. Applicant and co-accused beaten them by giving fist blows and also pushed them. Co-accused Charulata

assaulted on the head of informant by means of iron rod and co-accused Vaishnavi Donode thrown plastic chair on the person of informant. When other police staff came to rescue informant, co-accused also assaulted them by means of iron rod and giving fist blows. Applicant and co-accused took notice from the hand of informant and torn it. It is the case of prosecution that applicant and co-accused obstructed informant and other police staff from discharging their public duty. Therefore informant lodged report against applicant and co-accused in police station Amgaon. On the basis of report lodged by informant offence has been registered against the applicant and co-accused under sections as referred above with police station Amgaon.

3] Applicant submits that alleged offence is false and bogus and same is registered against applicant out of grudge. Applicant was doing social work and he was consciously protesting against illegal sale of liquor through licensees shop. So also applicant was opposing the continuation of licensed liquor shop as the same is situated at place which affect the children and women. The same is near the place where children go for schooling. There was no use of force to deter the public servant. He further submitted that material investigation is over and applicant has not used any weapon. Offence is not punishable with death or life. He further submits that co-accuse have already been released on bail and on ground of parity and also in light of facts mentioned above made request for his release on bail.

4] I.O filed say vide Exh.05 and opposed the application on the ground that offence is serious. Applicant as instigated villagers to commit serious cognizable offence. In case of release of applicant on bail he will pressurize witnesses and will give threat to them so as to dissuade them from giving evidence. Therefore, requested to reject bail application.

5] Learned APP Chute filed say vide Exh.06 and opposed it on the ground that offence committed by the applicant is serious and against the society. He assaulted police persons while they were discharging their duty. There is chance of repetition of offence by the applicant. Therefore, requested to reject bail application.

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

7] At the outset I would like to mention that as per say of IO charge sheet is already filed against the applicant and co-accused in present crime. It also reveals that co-accused Charulata and Vaishnavi are already ordered to be released on bail in pursuance of order dated 22-05-2026 in Misc. Cr. Bail Application No.160/2026. Role attributed to Charulata is higher than that of applicant. It appears that applicant has not used any weapon in the said crime. Thus, on ground of parity applicant is entitled to be released on bail. Even otherwise, charge sheet has already been filed and more than two months has passed since arrest of applicant. His

further incarceration is not required. In the facts of matter I am inclined to exercise discretion to enlarge applicant on bail. Hence, this order.

ORDER

1. Application Exh.01 is allowed.
2. The applicant **Santosh s/o Tanuji Donode** be released on bail in Crime No.237/2026 for the offence punishable under sections 121(2), 132, 221, 352 r/w section 3(5) of the BNS registered with police station Amgaon, on his executing P.R. bond of Rs.25,000/- with one surety in like amount on the following conditions;
 - (i) Applicant shall not tamper prosecution evidence.
 - (ii) 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 from disclosing such facts to the Court or tamper with the evidence.
 - (iii) Applicant shall not commit offence of like nature.
 - (iv) Applicant shall stay away from vicinity Kidangipar and Amgaon for the period of three months. Upon his release, applicant shall give in writing to I.O. and court about place of his abode during the period of three months with address proof.
3. Bail be furnished before remand court.
4. Accordingly application stands disposed off.

Date:11-06-2026

Sd/-
(M. T. Asim)
Additional Sessions Judge,
Gondia.