



IN THE COURT OF DISTRICT JUDGE-1, & ASJ, GONDIA.

SESSIONS TRIAL No. 103/2025.

(CNR NO.MHGO0100114562025)

STATE, PSO, GONDIA RURAL -VS- RAJGABBAR RANGARI+2

ORDER BELOW EXH. 03.

(Passed on this 01st day of November, 2025)

Seen application.

2. Applicant is arrested on 13/05/2025 and now he is in Magisterial custody.

3. This is first bail application moved by the applicant/accused **No.3 Ajay Lacchuram Kallo** claiming regular bail under Sec. 483 of BNSS, 2023 in connection with Crime No. 299/2025 registered with Police Station, Gondia Rural for offence punishable under Sec. 103(1), 61(2), 3(5) of BNS, 2023.

4. Learned APP and I.O. have opposed this bail application contending that offence is very serious and that applicant is involved in the said crime.

5. Heard.

6. It is the prosecution's case that applicant along with two other accused persons and one juvenile in conflict with law have murdered Mahendra @ Milind Lalchand Madarkar. He was brutally murdered in planned manner using sword and axe due to certain monetary transactions. As per Col.9 of post mortem report, 11 deadly injuries have appeared on body of deceased.

7. As per reply filed by I.O. it can be seen that on 11/05/2025, applicant called nephew of deceased on mobile No. 8408054570 and threatened that deceased is asking for refund of money, he will kill deceased within 7 to 8 days time. This contention is supported on the basis of CDR on mobile number of applicant/accused bearing No.7499783146. Further, applicant is also having previous criminal antecedents in as much as applicant is accused in Crime No.201/2023 registered under Sec. 354, 447, 323, 504 & 506 of IPC.

8. It is to be noted that, during the investigation blood stains sword and axe that were used for killing deceased are seized. Even, blood stains clothes of accused persons and that of deceased are seized and as per charge-sheet it appears that by following the procedure the same are already forwarded to FSL, Nagpur. The report of FSL, is not yet received. Thus, it can be seen on the basis of charge-sheet that the prosecution has collected scientific evidence against

the accused persons. As such, FSL, report is necessary for deciding bail application as well.

9. Under these circumstances, though applicant has filed this application claiming bail on the ground of certain discrepancies in statement of witnesses recorded during investigation and has relied upon following authorities;

(i) Criminal Appeal No. 1059/2017, Yogesh Walunj -Vs- State of Mah. & anr., Bombay High Court, decided on 22/12/2023.

(ii) Cri. Appeal No. 601/1995 with Cri. Appln. No. 3684/1998, Haroon Mahatab Jamadar & Others -Vs- State of Maharashtra, Bombay High Court, decided on 07/06/1999.

(iii) Criminal Appeal No. 642/2020 (Arising out of S.L.P (Criminal) No. 3695/2020), Devanand @ Chhotu Sharma -Vs- State o UP & another, Supreme Court of India, decided on 29/09/2020.

10. I am of the view that, in absence of FSL reports, the said authorities that are relied upon may not be helpful to the applicant in as much as, BNSS, 2023 gives importance to scientific evidence as well. As such, at this juncture, I am not inclined to grant this application. Hence, the following order.

ORDER

Application [Exh.03] is hereby rejected.

Gondia.
Dated: 01.11.2025.

(A. S. Pratinidhi)
District Judge-1 & ASJ,
Gondia.

Dictated and transcribed on dais computer	:	01/11/2025
Checked by the Judge	:	01/11/2025
Finally printed and signed by the Judge	:	01/11/2025