



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. 14.

(Passed on this 10th day of March, 2026)

Seen application.

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

3. Applicant/accused **No.3 Ajay Lacchuram Kallo** has claimed 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. This is second bail application. His earlier bail application is rejected on 01/11/2025 on the ground that FSL report is not received.

5. Learned APP has filed reply vide Exh.16 and I.O.

ha filed reply vide Exh.17 and both have opposed this bail application.

6. Heard.

7. 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.

8. Advocate for applicant has conducted that application at hand is filed in view of receipt of C.A. reports. However, learned APP has opposed this bail application on count that eye witnesses are pressurized and threatened. He has submitted that in fact police has recorded statements of eye witnesses immediately on 13/05/2025 and on 17/05/2025.

9. It is to be noted that witness namely Panchfull wd/o Rajkumar Uikey has specifically stated before the police that present applicant attacked deceased with sword whereas Rajgabbbar Rangari attacked deceased with axe. Her statement was recorded on 13/05/2025. Further, witness Meena Tilak

Bawanthade whose statement also recorded on 13/05/2025 has stated that accused Rajgabbar attacked deceased with axe and that the present applicant and accused No.2 brutally assaulted deceased with swords. Statement of Durga @ Sonu Sudhakar Madarkar was recorded on 17/05/2025 and she too has stated that accused persons brutally killed deceased using axe and swords.

10. Further, it is contended that eye witnesses who have seen the said incident are pressurized as can be seen from the statement of the said witnesses that are recorded by Judicial Magistrate First Class after period of one month under Sec. 183 of BNSS, 2023. Here learned APP has submitted that said statements goes to show that witnesses were threatened. It is further argued that if applicant is enlarged on bail it will have adverse effect on the prosecution's case.

11. Be that as it may, learned APP has also pointed out that vide Exh.8 accused No.2 Gulshan s/o Prakash Uikey also filed application. The said application was strongly opposed by learned APP and that the said application is rejected. It seems that accordingly accused No.2 filed Criminal Application No. 03/2026. However, order dated 03/02/2026 passed in the said matter is suppressed. On the basis of the said order it is pointed out that Hon'ble High Court was

disinclined go grant any relief to accused No.2 and therefore accused No.2 withdrew the said application with liberty to approach this court by filing fresh application, if the trial is not concluded within 6 months.

12. Thus, there is direction to decide matter at hand expeditiously within period of six months. Even then, it can be seen that despite the aforesaid order, present applicant has given contrary instructions to his advocate to press in to service application at hand. In view of this conduct of the present applicant which is not disputed This conduct on part of the applicant, it will not be proper on part of this court to grant application at hand. Hence, the following order.

ORDER

Application [Exh.14] is hereby rejected.

Gondia.
Dated: 10.03.2026.

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