

**Order below Exh.84 in Sessions Case No.20/2024**

1. Perused the application and say. Heard both the sides. It is submitted by Ld. Advocate for accused no.12 that there is no allegations against accused no.12 in FIR. He is falsely involved in this crime. Hence he be discharged.
2. Ld. APP submitted that the statement u/s 164 of informant i.e. Sayyed Nadim Sayyed Bashir and brother of informant i.e. Sayyed Nisar Sayyed Bashir shows the involvement of accused no.12 in the said offence.
3. perused the record of case. As per the prosecution case on 05/11/2023 all accused person formed the unlawful assembly and assaulted to informant and his brother Sayyed Jamil by means of axe, rod and stick and there thereby committed the murder of Sayyed Jamil.
4. I have gone through the record of the case. In FIR dated 05/11/2023 is silent about the name of present accused. However, in supplementary statement of the informant dated 06/11/2023 shows the presence of the accused on the spot and he assaulted by kick and fist blow.
5. The police papers prima-facie shows involvement of accused no.12 in the crime. Therefore, prima-facie there is sufficient

material to proceed against accused no.12 and to frame charge against him. Therefore, accused no.12 is not entitled for discharge from the offences levelled against him. Accordingly, I proceed to pass following order :

### **Order**

01. Application Exh. 84 stands rejected.
02. Accused no.12 is hereby directed to present on next date for for charge.

Sd/-

Dt. 18/10/2024

( Smt. B. S. Gare)

Additional Sessions Judge-5,  
Jalna.