

MHJN110002382026



Order below Exh-1 in Cri. Bail Appln. No.116/2026
(Shivprasad Hire Vs State of Maharashtra)

This application U/s. 483 of B.N.S.S. is filed by the accused Shivprasad Arun Hire for releasing him on regular bail in Crime No.40/2026 registered with Ambad Police station under sections 103 (1), 189, 190, 191 (2), 191 (3), 352, 351 (2) of Bhartiya Nyaya Sanhita.

2] The accused has contended that, he is falsely implicated in this case. His name is not mentioned in the FIR. The contents of the supplementary statement of the informant and his FIR are inconsistent. He is not involved in the incident. Nothing is recovered from him. He is ready to abide by any terms and conditions. He lastly prayed for allowing his application.

3] The investigation officer resisted the application by filing his say at Exh-4 wherein, it is contended that, this accused was present on the spot along with other accused and accused will threaten witnesses, if released on bail. He lastly prayed for rejecting the application.

4] Heard, learned Advocate Mr. A. A. Maske for accused, learned AGP Mr. W. A. Ghuge for the state.

5] The FIR is lodged by father of deceased Pawan Borate. The FIR makes out that the informant has witnessed the incident.

In the FIR the only allegation is against Rahul Khare (Child-in-conflict-with-law) that he inflicted blows of knife in the stomach of Pavan Borate son of informant. In the FIR there is no whisper against the present accused either of his presence on the spot or doing any overt-act. The informant in his supplementary recorded on very same day has made allegations against this accused that, he caught the hand of his son Pawan Borate. Said allegation is not stated in the FIR. Thus, this aspect makes out the case of afterthought allegations against the accused. Had this accused been really present on the spot and had caught hand of deceased Pawan then, the informant who has witnessed the incident certainly would have stated said fact in his FIR which is not so.

6] Thus, said aspect comes to the help of present accused for the purpose of bail. Hence, I conclude that the accused is entitled to bail with certain conditions. Accordingly, I pass following order.

ORDER

- a] Application is allowed.
- b] Accused **Shivprasad Arun Hire** be released on bail in respect of Crime No.40/2026 registered with Ambad Police station under sections 103 (1), 189, 190, 191 (2), 191 (3), 352, 351 (2) of Bhartiya Nyaya Sanhita, on executing PR bond and SB of Rs.25,000/- with one surety in the like amount or cash security.
- c] Accused shall not pressurize the informant and prosecution witnesses in any manner.

- d] Accused shall not tamper with the evidence in any manner.
- e] Accused shall mark his presence in Ambad Police Station as and when required by investigation officer and co-operate in investigation.
- f] Accused shall not leave the India without prior permission of the Court.
- g] Bail before remand Court.

Date: 24-03-2026

(S. B. Gaidhani)
Addl. Sessions Judge, Ambad

Certificate

“I affirm that the contents of this PDF File are word to word as per original order”.

Name of the Steno : Navnath D. Sahane
Name of the Court : Additional Sessions Judge, Ambad
Date : 24-03-2026

Signature of Stenographer