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| MHKO080000652025  | <u>ORDER BELOW EXH. 9 IN SESSIONS CASE</u> <u>NO. 5/2025.</u> (State of Maharashtra Vs. Ramling Kallappa Patil) |
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1. Present application is filed by the applicant/accused for regular bail under section 483 of B.N.S.S. The applicant/accused was arrested in Crime No.157/2024, registered at Police Station, Chandgad. After the charge-sheet case is committed to this Court. Now the case is pending for trial.
2. Learned advocate for the applicant submitted that the applicant was arrested by the police on 08/05/2024. Since then he is in jail. Total prosecution case is depend on the statement of the deceased given in the form of report. No one had seen that the accused assaulted the deceased. The investigation is completed by the police. Therefore, presence of this applicant in jail is no more required. The deceased after giving statement to the police died. Therefore, it cannot be said that this applicant put pressure on the witnesses. Hence, the application may be allowed.
3. Learned APP submitted that this applicant beat the deceased on the ground that his daughter lodged report against the applicant at Police Station, Vadgaon, Dist. Belgaon. This applicant beat the deceased by kicks and fists on chest and other part of the body which resulted in to fracture to the ribs. Therefore, he died. If this applicant is released on bail, he would put pressure on the witnesses not depose against him. Also he will not remain present during the trial. Hence, the application may be dismissed.
4. On perusal of record it finds that the allegations made against the applicant/accused are very grave that he assaulted deceased by kick and fists which resulted in the death of the deceased. But it is required to

consider that all the witnesses whose statements are recorded by the Investigating Officer are not eye witnesses of the incident. Total case is depend on the statement of the deceased which was given by him to the police in the form of FIR. Therefore, there are very less chance that he would put pressure on the star witness. Investigating is completed. In that situation, presence of this applicant/accused in jail is no more required. Therefore, the applicant/accused is entitled to be released on bail. Hence, the following order is passed.

ORDER

- (1) The bail application is allowed.
- (2) The accused/applicant Ramling Kallappa Patil be released on bail on his furnishing P.R. bond in the sum of Rs.1,00,000/- (Rupees One Lakh only) with one or two surety of the like amount on following conditions:
 - a. The applicant shall attend the Court date regularly, so that the case would be proceeded further.
 - b. The applicant shall not pressurize on the witnesses directly or indirectly and shall not create hurdle while conducting the trial by putting pressure on the witnesses.
 - c. Also applicant shall not enter in the area where the family members of the deceased are residing.
- (3) Violation of any of the above conditions may entail a ground for cancellation of bail forthwith.

Date:- 06/08/2025.

(O.R. Deshmukh)
Additional Sessions Judge,
Gadhinglaj.