

CNR: MHOS160002072026.



ORDER BELOW EXH.31 IN SESSIONS CASE NO.09/2026
(CNRNO.MHOS160002072026)

01. This is an application filed after filing charge-sheet by applicant/accused no.2) **Shaikh Shakil Rauf, age 28 years**, for regular bail U/sec. 483 of Cr.P.C. in Crime No.38/2026 registered before Yermala Police-station for the offences punishable U/sec.103(1),115(2),3(5) of the Bhartiya Nyaya Sanhita, 2023.

02. Perused, bail applications, say of Ld.A.PP. Heard Ld. Adv. Shri.T.S.Savant, appearing on behalf of the applicant and Ld. A.PP. Shri.A.S.Kulkarni for State, at length.

03. On perusal of FIR and charge-sheet, it appears that informant Bhagwat Baliram Munde who is father of deceased Satish lodged complaint before Yermala police station alleging therein on 12.02.2026 at about 6.30 pm he along with his son Satish were present in his house at Salegaon, then his son had been towards his medical shop. Thereafter on 13.02.2026 at about 1.08 am he received phone call from Mumbai and he asked whether Satish is present in a house. He told he did not returned, then he received phone call of his brother Indarrao that your son is coming towards house and you take him in your house which is

brought by Shaikh Ajimoddin Jilani. So the said driver Shaikh Ajimoddin brought one car in front of his house. Therefore he had been towards the said car. He opened the door of said car. His son was found slept on backsit, he called to him as Satish..Satish, but he did not woke up, he did not talk anything.

04. Then he asked to the Shaikh Ajimoddin from which place he brought to his son. So, he narrated he brought him from Yermala, then he asked to him who were accompanied with him, then he narrated Shaikh Shakil Rauf, Sanjay Janardan Gite, Madhukar Goroba Ingale and Datta Babasaheb Tonde and he was accompanied with him. Then he woke up to his nephew Rahul Sampati Munde and father of Rahul i.e. Sampati Baliram Munde and told him that his son Saish is brought by Shaikh Munna in his car, but his son is not talking anything and he has not woke up. He also narrated same thing to his wife, then they came towards the said car, he was not talking anything, then they immediately carried to him in Rural Hospital, Kaij. Doctor examined to him, immediately called ambulance and referred to him in Government Hosptial, Ambajogai. Doctor examined to Satish and decalred he is dead.

05. Then he came to know from Shaikh Ajmoddin that Shaikh Ajmoddin, Shaikh Shakil, Sanjay Gite, Madhukar Ingale, Datta Tonde all r/o Salegaon Tq.Kaij, on 12.02.2026 at about 6.30 pm they proceeded from Salegaon towards Mahakali Kala Kendra,

Chorakhali via Yermala, when they were proceeding towards said Kala Kendra they consumed wine. On 12.02.2026 at about 11.30 pm to 13.02.2026 at about 1.00 am when they returned from Mahakali Kala Kendra, Chorakhali due to previous dispute accused persons assaulted to his son by means of kick and hand blow on his abdomen and chest and these persons committed murder of his son.

06. It is the contention of accused that he has not committed any offence as alleged by the informant. He is falsely involved in this case and he is arrested on 15.02.2026. After sufficient PCR he is taken into MCR. Since then he is in jail. Investigation is completed and chargesheet is filed. So nothing is to be recovered from him. There is no any eye witness to the said incident. Being only he accompanied with the other accused persons and had been towards the Mahakali Kala Kendra, Chorakhali, due to said reason, he is falsely involved in this case. Not only this he has not assaulted to the deceased Satish but he is falsely involved in this case. Therefore it is prayed for rejection of bail.

07. Ld.APP/ I.O. as well as informant appeared suo-moto, he assisted to the Ld.APP and also filed his say stating therein present accused is involved in this case, he is having active role in the said crime, dead body of Satish was brought in the car by accused no.1. So, the accused no.1 himself stated to the informant his name as well as name of other accused persons who were

accompanied with the deceased Satish. He himself stated they consumed wine to the deceased Satish. Thereafter during investigation I.O. came to know accused no.1 made a disclosure statement to show in which place said car was stopped on the side of road and he along with other accused assaulted to the deceased Satish. As he was abused to them in filthy language under the influence of liquor. So also investigating officer recorded statement of witnesses in which these witnesses seen to the deceased with the all accused persons lastly and thereafter dead body of deceased was found.

08. Further the informant also by filing say submitted that there was previous enmity of deceased Satish with the accused persons. So they called to him, carried to him in car of accused no.1, all of them consumed liquor and had been in Mahakali Kala Kendra, Chorakhali, they were returning, at that time all accused persons in furtherance of their common intention due to previous enmity assaulted mercilessly to Satish on his chest and abdomen by means of kick and hand blow, they also stopped their vehicle and during mid night all of them assaulted to him by means of kick and hand blow on his abdomen and chest and they killed to him, then accused no.1 brought dead body of Satish towards his house. Accused no.1 dropped to other accused in their respective houses, so all accused persons intentionally committed murder of the deceased Satish and Ld.APP submitted that it is a cold blooded murder. If the accused released on bail they will tamper the

prosecution witnesses and therefore it is prayed for rejection of bail.

09. However, on perusal of FIR, investigation papers it appears that the informant who is father of deceased Satish lodged complaint on the basis of information received to him from accused no.1 as he brought the dead body of Satish in his car in front of the house of informant. He gave details who were accompanied with the deceased and they were consumed the wine.

10. Further it appears that during investigation CCTV footage was also taken by the IO of Mahakali Kala Kendra, Chorakhali in which at the relevant time as stated in the complaint all accused and deceased were present in the said Kala Kendra and thereafter they left the said Kala Kendra and proceeded towards Yermala. Not only this during investigation accused no.1 given his disclosure statement before the IO and he was ready to show in which place his car was stopped and in which place they assaulted to the deceased and in which spot deceased was beaten mercilessly. So the said spot of incident shown by the accused no.1 and IO prepared spot panchnama.

11. It appears that the said spot of incident appears to be on the side of the road and incident took place during mid night. No one present near the spot except the deceased and accused

persons. Not only this IO also recorded statement of witnesses those were present in the said Mahakali Kala Kendra. These witnesses very well knows to all accused persons as some of the witnesses are residence of Salegaon, Tq.Kaij of the village of the accused persons and they had been in the said Kala Kendra for watching dancing. These persons specifically stated before IO they found all accused persons with the deceased Satish and they were consumed the wine, they also left the said Kala Kendra and proceeded in the car towards Yermala and thereafter dead body of the deceased in the said car brought by accused no.1 in front of the house of informant. Informant was called, he seen to his son but he was not woke up, he was slept, immediately in the said car he was referred to Rural Hospital Kaij, thereafter he was shifted towards Government Medical College, Ambajogai. Doctor examined him and he found dead.

12. Further on perusal of the P.M.Report it appears that in column no.17 following injuries are found.

1. Multiple contusions of sizes varying from 0.5cm x 0.5cm to 2.5 cm. X 1.5 cm, subcutaneous dep noted over the upper one third of anteromedial aspect of the right arm, reddish in colour, on cut sections extravasation of blood noted over the skin and subcutaneous tissue.

2. Multiple contusions of sizes varying from 01cm x0.5cm to 2.5cm x0.5 cm, subcutaneous deep noted over the

distal one third of anterolateral and posterior aspect of the right forearm, reddish in colour, on cut sections extravasation of blood noted over the skin and subcutaneous tissue.

3. Multiple contusions of sizes varying from 0.5cm x 0.5cm to 02 cm x 0.8 cm, subcutaneous deep noted over the anteromedial aspect of the left arm, reddish in colour, on cut sections extravasation of blood noted over the skin and subcutaneous tissue.

4. Contusion of size 03cm x 02 cm, muscle deep noted over the proximal one third of anteromedial aspect of the left forearm, oblique in direction, reddish in colour, on cut sections extravasation of blood noted over the skin, subcutaneous tissue and muscle.

5. Contusion of size 02cm x 01 cm. Subcutaneous deep noted over the distal one third of posterior aspect of the left forearm, oblique in direction, reddish in colour, on cut sections extravasation of blood noted over the skin and subcutaneous tissue.

6. Contusion of size 05cm x 03cm, muscle deep noted over the upper one third of anterior aspect of the right thigh, oblique in direction, reddish in colour, on cut sections extravasation of blood noted over the skin, subcutaneous tissue and muscle.

7. Contusion of size 1.5cm x 01cm, subcutaneous deep

noted over the anterior aspect of the lower border of the knee joint, oblique in direction, reddish in colour; on cut sections extravasation of blood noted over the skin and subcutaneous tissue.

8. IV puncture wound with minimal infiltration of the blood noted over the lateral aspect of the right wrist joint noted on removal of in situ IV cannula.

13. So, as per opinion of Medical Officer the cause of death is “death due to haemorrhagic shock due to blunt trauma to abdomen, necessary samples preserved for accessory examinations”. Further it appears that in column no.21 in respect of abdomen (b) Peritoneum shown as torn at places. Column (c) Peritoneal cavity – contains 3.5 L of liquid blood, reddish in colour. So, the P.M.Report and opinion of Medical Officer supported to the complaint of informant and cause of death of deceased Satish as he sustained various injuries on his abdomen. So, there is sufficient evidence on record against the accused persons.

14. Further it appears that Ld.APP submitted that C.A.Report yet to be received and if the present accused released on bail they will tamper the prosecution witnesses. As these witnesses are belongs to their village as they lastly seen to the deceased with the accused persons. So, under these set of circumstances accused persons committed cold blooded murder of the deceased Satish

who is son of informant and if they released on bail they will tamper the prosecution witnesses. Therefore they are not entitled for regular bail. Hence, I proceed to pass the following order :

ORDER

Application is hereby rejected.

(VK.Mande)

Date : 30/06/2026.

Addl.Sessions Judge-1, Kallam

CERTIFICATE

I affirm that, the contents of this P.D.F. file Judgment/order are same, word to word, as per the original Judgment/order.

Name of Stenographer : S.R.Ghadge, Stenographer(Grade-I)
Court Name : Addl. Sessions/Special Court, Kallam.
Date : 30.06.2026
Order signed by PO. on : 30.06.2026
Order uploaded on : 30.06.2026