



**ORDER BELOW EXHIBIT NO.28**

The applicant / accused no.1 namely Pratik Umakant Salunke has filed this second application for grant of bail under Section 483 of the B.N.S.S. in connection with Crime No.388/2025 registered with Shivaji Nagar police station, Latur for the offences punishable under Ss. 109, 351(3), 352, 3(5) of B.N.S., 2023.

2. According to advocate of applicant / accused no.1, the applicant / accused no.1 has not committed alleged offence. He has been falsely implicated in the given crime. He was not present on the spot of incident when the alleged offence took place. Injuries sustained by the informant and the injured were not likely to cause death hence the case doesn't fall within the ambit of Section 109 of B.N.S. Act. The other offences registered against the applicant are not serious. The informant and the injured have submitted affidavit mentioning that out of misunderstanding the F.I.R. came to be lodged against applicant accused and that they have no objection if the applicant is released on bail.

3. Further according to advocate for applicant, the applicant is in jail since last 03 months. Investigation is

completed and charge-sheet has been filed. The other two accused have been enlarged on bail. The applicant / accused no.1 is a local resident. He is not a previous convict nor has any criminal antecedents. He is ready to abide by all the conditions which may be imposed by this Court for grant of bail. Hence, he prayed that application be allowed.

4. Instant application has been strongly opposed by the Ld. A.G.P. for State and also by the I.O.. According to them the offences alleged against applicant accused are serious in nature. The applicant/ accused no.1 is the prime accused in this crime. He assaulted the informant and the injured witness with knife which is a deadly weapon. The assault on the injured witness Vaibhav Chalwad is on abdomen i.e. vital part of the body. The said injury was likely to cause death. There is direct evidence against the applicant. Looking to the nature and seriousness of the offence his previous bail application was rejected. Filing of charge-sheet is not a change in circumstance for the applicant accused to seek bail. If accused/ applicant is released on bail there is every likelihood that he will threaten the injured / eye witnesses. It is further submitted that accused may tamper with the evidence or influence / pressurized the eye witnesses. Also there is likelihood he may abscond if released on bail. Hence, it is prayed that application may be rejected.

5. After hearing both the sides and on perusal of the charge-sheet and the documents filed by advocate for applicant

on record it reveals that the applicant / accused no.1 has been charge-sheeted for offences punishable under Sections 109, 351(3), 352, 3(5) of B.N.S., 2023. He is the main accused in the alleged crime. He has been specifically named in the F.I.R. by informant and in the statement of injured witness. But on perusal of the injury certificate of informant and the injured it prima facie does not reveal that the injuries sustained by them were likely to cause death. The informant and the injured were discharged from the Hospital in short period and were out of danger.

6. The informant Prasad Pinate and the injured Vaibhav Chaldwad have submitted affidavits that out of misunderstanding name of applicant was mentioned in the F.I.R. and in the police statement. They submitted that they do not have any objection if bail is granted to applicant.

7. Investigation is completed. Charge-sheet has been filed. Custody of applicant is not required by the investigation agency. Further detention of applicant will not be justified. The say filed by prosecution does not reflect that applicant / accused is a previous convict or a history sheeter. He appears to be local resident. He is ready to abide by all terms and conditions imposed by this Court for grant of bail. In view of the above reasons bail to accused applicant is justified. Hence, the following order :

**ORDER**

- 1) This application is allowed.
- 2) The applicant/ accused no.1 namely Pratik Umakant Salunke be released on bail on executing the PR bond of Rs.50,000/- (Rs.Fifty Thousand only) with one or two solvent sureties, in the like amount in Crime No. 388/2025 registered with Shivaji Nagar Police Station, Latur for the offence punishable under Ss.109, 351(3), 352, 3(5) of B.N.S., 2023.
- 3) The applicant shall not pressurize the witnesses and tamper with the prosecution evidence, in any manner.
- 4) The applicant shall attend the trial on each and every date unless exempted by the trial Court and shall not leave the area of jurisdiction of the concerned police station till conclusion of the trial.
- 5) The applicant shall submit on record copy of Aadhar card, Pan Card, detailed address and phone numbers of himself and of two of his near relatives as per Criminal Manual Chapter-I, Para 12(1).

- 6) In case of breach of any of the conditions by the applicant, it is open for the prosecution to move this Court seeking cancellation of bail.
- 7) Bail before this Court.

Date : 06/03/2026

Sd/-  
( R.B. Bhagwat )  
Additional Sessions Judge-2,  
Latur.