



CNR: MHLA010007202026

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE-1, LATUR**  
(Presided over by: Mr. Rahul R. Bhosale)

**Cri.(Bail) Appln.No. 119/2026**

1) **Kuldip Ganpat Sonwane** ... Applicants.  
2) **Om Dilip Samukhrao**

**Versus**

The State of Maharashtra, ... Respondent  
Through: P.I. Police Station  
Vivekanand Chowk, Latur.

**Ld. Advocates**

**Mr. T.S. Jadhav for Applicants.**  
**Mr. B.H. Khedkar, A.P.P. for Respondent.**

**ORDER BELOW EXHIBIT NO. 1**

1. The applicants have presented this application for grant of bail under Section 483 of the B.N.S.S. in Crime No. 92/2026 police station Vivekanand Chowk, Latur of the offence punishable under Ss.105, 125(a), 125(b), 324(4) r/w.3(5) of BNS, 2023.

2. **Brief facts of the prosecution are as under:**

The informant Wasim ply autorikshaw for earning livelihood of his joint-family. He alongwith his father and cousin Mahefuj were going towards Shahu square from their home. At Vivekanand square, two unknown persons intercepted his auto by

signaling to stop. One of them hurled abuses. Hence confronted by Mahefuj, however, he caught hold the collar of his shirt. Hence Mahefuj brought him to police station. The informant was standing near his autorikshaw, the another unknown person present there made phone call which was responded by 3 persons coming on Splendor motorcycle. They hurled abuses to the informant and beat him. After settling the dispute in the police station, the informant and his those relatives were returning by the autorikshaw. They went to Pachpeer Nagar for relieving the relative. They reached at the slope of road near 16 number school. That time 5-6 unknown persons were standing by equipping stones. One of them threw stone on the glass of autorikshaw making the auto uncontrolled. Autorikshaw dashed to the road divider and turtled. All the passengers sustained grievous injuries. Still those attackers started showering stones on the auto. They also chased the informant with stick and sharp weapon. The informant's father was handicapped who stuck below the turtled autorikshaw. Due to beating and those injuries, he met to death before admitting to the hospital. Lastly, the informant filed FIR to the Vivekanand Chowk police station. Investigation is going on.

3. In the aforesaid backdrop, the applicants have prayed for grant of bail materially on the grounds that they are not involved in said crime. The FIR was filed belatedly. Said accident of autorikshaw therefore held only due to the informant was driving it under influence of liquor. The FIR itself reveals that father of informant was handicapped hence he was unable to come out of the autorikshaw and sustained injuries. No any intentional act was committed by present applicant. Therefore, the application needs to be allowed.

4. The I.O. and A.P.P. have jointly replied at exh. 5 on the

grounds that the accused persons including the applicants intentionally pelted stones on the autorikshaw of the informant thereby causing it to turtle. Due to their act, the father of informant met to death. Another relative of informant is still taking medical treatment on his grievous injuries caused in that accident. All the accused persons committed the said act in furtherance of their common intention. Hence the application needs to be rejected as the investigation is in progress.

5. I have heard arguments of Adv. Mr. T.S. Jadhav for the applicants and Ld. A.PP. Mr. B.H. Khedkar for the State. They have reiterated the aforementioned respective cases. Thus, after perusing the record, the points arise for determination are answered for the reasons as under:

POINTS		FINDINGS
1)	Whether the applicants are entitled for grant of bail under Section 483 of BNSS ?	No.
2)	What is order ?	As per final order.

### REASONS

#### POINT NO. 1 :

6. It is the part of record that the informant and his relatives including his father sustained injuries by turtling the autorikshaw at the time of alleged incident, wherein the informant's handicapped father met to death due to those injuries. The entire happening of the incident narrated in the FIR reveals the well planned plot of the accused persons. Firstly some of them had a dispute with the informant and his relatives who are travelling by the riskahw.

Thereafter some of the co-accused persons had beaten the informant and his relatives near police station. Later on some of the co-accused persons crouched on the returning way of informant and his relatives. They pelted stones on the autorikshaw on which the informant lost control and it was turtled. Thereafter also all the co-accused persons have not stopped to shower the stones on the autorikshaw and also chased the informant and his relatives by equipping with stones and sharp weapon. Therefore, such intentional gathering of all the accused persons alongwith their act in-concert is required to be taken into consideration seriously. In the said incident, one victim met to death while another is seriously injured and still he is taking medical treatment in the hospital. Such ghastly acts certainly requires thorough investigation which could not be completed in this shorter period. In such situation if the present applicants gets bail, then the probability of interference into on-going investigation can not be ruled out considering the severe nature of crime. The possibility of recourse of present incriminating acts are also not denied the manner in which the said incident is occurred.

7. The investigation up till now reveals that the applicant Om is the main culprit who came with his associates- the co-accused persons firstly as found from the CCTV footages on the way. Applicant Kuldeep was accompanying applicant Om at that time. Thus, thorough investigation is required in the present crime. The group fights and the acts committed in a criminal gang are at rise in the vicinity. Such crimes are required to be delt sternly. Let the investigating agency should complete the investigation by all means going to the root of present matter. Till then the present applicants are not entitled for grant of bail. I therefore, answer **point no.1** in the negative.

**POINT NO. 2 :**

8. The applicants have not succeeded to prove the present application. Hence, I pass the following order:

**ORDER**

The Cri. Bail application No.119/2026 is rejected.

**( R.R. Bhosale )**

Date : 18.03.2026.

Additional Sessions Judge-1,  
Latur.

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"CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT/ORDER".

(H. R. Shinde)

Stenographer (Grade-1)

NAME OF STENOGRAPHER

Name of the Judge(With Court Room No.) :

Shri R. R. Bhosale, Additional Sessions Judge, Latur.

Date for pronouncement of Judgment/Order:

18.03.2026

Judgment/Order signed by P.O. on:

24.03.2026