



CNR : MHLA01-002379-2025.
Sessions Case No.125/2025.
State -Vs.- Vikram & ors.

ORDER BELOW EXH.4.

1. Accused No.1 and 2 filed this application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023. Their previous bail application bearing Criminal Bail Application No.235/2025 was rejected on 19.04.2025 prior to filing of the charge-sheet. Accused No.3 and 4 are already released on bail.

2. Present bail application is filed after filing of charge-sheet on the ground that the alleged offences have not been committed by the accused. They are falsely implicated in the case. There is previous enmity and, therefore, with an intent to harass, the crime has been registered. It is stated that accused No.2 by name Nivrutti is suffering from paralysis. He needs regular treatment. The material in the charge-sheet is contrary to the alleged offences. Already the investigation is complete and there is no need of custody of the accused. Accused No.3 and 4 are released on bail. Therefore, the application be considered on the ground of parity also. It is stated that the accused are ready to abide the conditions of bail. Therefore, they prayed for their release on bail.

3. Reply of the Investigating Officer and ld. A.P.P. was called. Today, in the afternoon session, ld. A.P.P. filed reply.

4. Heard for both the sides.

5. With the help of Id. Advocate representing the accused and the Id. A.P.P., I have gone through the entire charge-sheet. Attention is brought to the medical certificates of the injured. The informant Sandip got injuries on his leg as well as head. The injury on head was simple. However, a fracture was detected on leg. So far as injuries on the person of Shivaji Gaikwad, he was having head injury and during the C.T. scan, undisplaced fracture was found on frontal bone of left side. He has been discharged from hospital on 14.03.2025.

6. It can be seen from the record that investigation is complete and charge-sheet has been filed. The injured have already been discharged from hospital. There is no need of custody of applicants. Having regard to the facts which are mentioned in the first information and relevant material collected by Investigating Officer, the incident occurred suddenly. There was only one blow on the head of each of the injured. Having regard to these aspects and considering the fact that already rest of the accused have been released on bail, I do not find it necessary to continue the custody of accused No.1 and 2. The previous bail application of accused No.1 and 2 has been rejected on the ground that investigation is in progress and these accused played main role in commission of the crime. Now, the investigation is complete. Therefore, the applicants can be released on bail on appropriate conditions. Consequentially, I pass following order :-

ORDER

1. The application is allowed.
2. Accused No.1 by name Vikram @ Banty Kashinath Wagare and accused No.2 Nivrutti @ Sonya Kashinath Wagare are released on bail on their executing P.R. bond of Rs.50,000/- each with surety in the like amount.
3. The applicants/accused No.1 and 2 shall not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any Police Officer and not to pressurize any prosecution witness.
4. They shall not repeat the same offence.
5. They shall furnish their address proof and current mobile numbers.

Date : 25.06.2025.

**(S.V. Jadhav)
Additional Sessions Judge-4,
Latur.**
