


CNR NO.MHLA040000492026 	Sessions Case No.5/2026 State Vs. Kerba & Anr.
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ORDER BELOW EXH.15

The present application is placed by accused No.1 Kerba Narsing Shinde for regular bail, who is involved in Crime No.724/2025 registered with Ahmedpur police station, District Latur, for the offence punishable under Sections 103(1), 238 r/w Section 3(5) of Bhartiya Nyaya Sanhita, 2023.

2) **Brief facts of the case are as under :**

Informant Chandrakala Surnar resident of Rudha, Tq. Ahmedpur placed report at Police Station, Ahmedpur on 04.11.2025 alleging that, on 03.11.2025 at about 8.30 p.m. her father Shivraj Surnar and Brother Vishwanath Surnar went to agricultural land for vigil. On 04.11.2025 at about 7.00 a.m. she received information that, Shivraj Surnar and Vishwanath Surnar were lying near the house located in agricultural land, then informant went to the agricultural land. Informant found that, Shivraj and Vishwanath were died. Dead bodies were shifted for post-mortem at Rural Hospital, Ahmedpur. Accordingly, she alleged that, unidentified person committed the murder of Shivraj and Vishwanath. On the report of informant, above crime was registered. During the course of investigation, it transpires that, accused No.2 Narsing Shinde and applicant/accused No.1 Kerba Shinde committed murder of Shivraj and Vishwanath. Accordingly, charge sheet is came to be filed against them. Applicant/accused No.1 Kerba is in judicial custody.

3) Learned Advocate for the applicant/accused No.1 submits that, there is no eye witness to the incident. There is no evidence in regard

to the last seen. The police has prepared false documents relating to the recovery of weapon at the instance of accused/applicant. Investigation is completed. Substantial time is required for completion of trial. The accused persons and the witnesses are residing in different villages. Hence, claim for regular bail.

4) Learned A.P.P. for the State submits that, the accused/applicant along with his father Narsingh Shinde have committed the brutal murder of two persons. There is sufficient evidence on record to prove the involvement of them in the commission of offence. Hence, claim for rejection of Bail.

5) Perused record. There is no eye witness to the incident in question. Prosecution case is based upon circumstantial evidence. The circumstances set up by the prosecution against accused are that, the deceased Shivraj obtained sale-deed from accused Narsing towards security of loan amount and inspite of request made by accused Narsing, deceased Shivraj was not reconveyed the sale-deed which was registered in the name of Shivraj's sister. The Call Data Record pertaining to the Sim Card used by accused Narsing, applicant/accused Kerba and connected person indicating that, they have operated their respective mobiles around the place of incident that too in the intervening night. Furthermore, pursuant to the disclosure statement made by accused/applicant Kerba, two sticks and one Katti is recovered. The prima-facie confessional statement made by accused/applicant is admissible under Section 23 of the Bharatiya Sakshya Adhiniyam, 2023 (BSA). Prima-facie evidence on record indicates that, the referred circumstances are sufficient to establish the role and complicity of accused Kerba in the commission of offence. The offence is serious, graver as murder of two persons is committed. Considering the gravity, severity facts and circumstances of the case, no

grounds are exists to release accused/applicant on regular bail. Hence, following order.

ORDER

Applicant is rejected.

Date : 07.04.2026

(S.U. Wadgaonkar),
Additional Sessions Judge, Ahmedpur.