

**MHND080008242023****ORDER BELOW EXH-119 in Sessions Case NO.49/2023**

The present application is filed by the accused Nos.5 to 8 to relax the bail conditions, which are put on them while granting bail. It is contended that, the accused Nos.5 to 7 are agriculturists by profession and they are the Kartas of their family. The accused No.8 is taking education. It is contended that, the accused Nos.5 to 7 are directed not to leave District Nanded without prior permission of this Court and not to enter within 1000 meter area from the house of the informant and witnesses. It is contended that, the accused No.8 is directed not to enter within 500 meter area from the house of the informant and the witnesses and not to leave District Nanded without prior permission of this Court. It is contended that, because of the above conditions, they are unable to visit their houses and the accused No.8 is unable to take his further education. It is contended that, they have not breached any of the conditions. It is contended that, considering the above facts, the condition Nos.(c), (d) and (b), (d) be released.

2. The learned APP has strongly objected the application.
3. Heard both the sides.
4. The learned advocate for the accused submitted that, due to the above conditions, the accused are unable to visit their houses, take education and maintain their family. He submitted that, the accused have not committed any breach of the bail conditions. He submitted that, due to the conditions, the accused and their families are suffering physically, mentally and economically. Due to the said conditions, the accused are unable to

cultivate their agricultural lands and their family is suffering.

5. On the other hand, the learned APP submitted that, the accused Nos.3 and 11 had filed similar application vide Exh.114 to relax the same conditions and this Court has rejected the application. He submitted that, similar role is played by the present accused as the accused Nos.3 and 11. He submitted that, therefore, the application may not be allowed.

6. Perused the record. The accused No.3-Shivraj was directed not to leave Nanded without prior permission of this Court and not to enter 1000 meters area from the residence of the informant and witnesses. Same condition is put on accused No.11. This Court has rejected their application for relaxation of the said conditions.

7. There are allegations that the accused No.5 has assaulted by means of Katti and iron rod. There are allegations that accused No.6-Raju has assaulted by means of Katti. There are allegations that accused No.5-Nagnath has assaulted the informant. There are no specific allegations against the accused No.8-Satyam. The accused No.8 is said to be taking education and because of the above conditions, he is prevented from taking education. Same role is attributed to the accused Nos.5 to 7 as the accused Nos.3 and 11. As discussed above, their application for relaxation of conditions is rejected by this court. Therefore, the application for accused Nos.5 to 7 cannot be allowed. However, considering the fact that, in the report, there are no specific allegations against the accused No.8-Satyam, the condition Nos. (b) and (d) imposed on him will have to be relaxed. In the result, following Order is passed:-

**Order**

1. Application is partly allowed.
2. The condition No. (b) and (d) imposed on accused No.8-Satyam while granting bail vide order passed in Misc. Cri. Bail Appln. No.97/2022 are relaxed and are canceled. Rest of the conditions put on the accused No.8-Satyam are to be continued till full and final conclusion of the trial.
3. Inform the concerned Police Station.

Date : 15.10.2024

( M. N. Patil)  
Addl. Sessions Judge-1,  
Kandhar.

### Certificate

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

Name of Stenographer :- P. V. Jadhav, Stenographer G.1

Court name :- Sessions Judge-1, Kandhar.

Date :- 15.10.2024

Judgment signed by

Presiding officer on :- 15.10.2024

Judgment uploaded on :- 16.10.2024

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