



In The Court of Additional Sessions Judge-6, Nagpur.

Presided over by  
Shri. M. S. Ganorkar.

**Sessions Case No.484 of 2024.**

CNR No: MHNG010104732024.

Crime No.241 of 2024, P. S. Parseoni.

State of Maharashtra.  
(Through P.S. Parseoni)  
...Vs...  
Jageshwar and Ors.

**Applicant - Jageshwar S/o Vittal Thakare.**

Order below Exh.70  
(Date: 20<sup>th</sup> January 2026)

1. This is an application for issuance of directions as applicant/accused be released on bail, U/Section 483 of the Bhartiya Nagarik Suraksha Sanhita. Applicant/accused booked in Crime No.241 of 2024, for the offences punishable U/Sections 302, 201 r/w 34 of the Indian Penal Code and Section 4/25 Arms Act.
2. Perused the application along with documents annexed here with and say/report of Investigating Officer/APP. Heard both the sides at length.
3. In the light of this facts emerged, submissions by the parties and material on the record, the following points arise for determination before this Court. The said points and the findings thereon which follow the reasons as:

**Point For Determination.**

<b>Sr. No.</b>	<b>Point</b>	<b>Finding</b>
1.	Whether the applicant/accused made out the case as to issuance of direction as to be released on bail, in the given set of facts?	...Yes.
2.	What order?	...Application Allowed as per final order.

**REASONS*****As to the point no.1:***

4. It is submitted that the applicant is permanent resident of address given. He is falsely implicated in this case. He came to be arrested on 27/06/2024 since then he is in custody. It is alleged that on 25/06/2024 at 7.30 pm to 26/06/2024 at 8.00 am the incident of murder of deceased on Nitin Khushal Thakare took place at Bhakari Shiva and Gondegaon Road, Dhaba. At the time incident the deceased came to the Dhaba/Hotel of applicant and was asking for liquor. On this ground the verbal quarrel between them took place. The Co-accused Mangesh Shivankar had assaulted the deceased by means of stick on his head. The applicant accused had assaulted the deceased by means of Iron knife. The accused person had taken away the deceased on a motor cycle and took him to Bakhari Canal and again assaulted the deceased by means of knife causing his death. Therefore, the informant lodged report at Parseoni police station.
5. The applicant submitted that his wife was suffering from heart problem and she was undergoing treatment. There was no one to take care of his wife. Hence, the applicant was released on bail. The applicant submitted that test of his wife was conducted and she is advised to undergo angiography. On this ground the Court granted

temporary bail to the applicant and then thereafter it was extended. Now the applicant is suffering from physical and mental ailments and the condition of family of applicant is very bad. If released on bail, he is ready to abide by any condition. Hence, prayed that application be allowed.

6. The Investigating officer filed say submitted that the offence is serious. There are many criminal antecedents pending against him. The applicant is committed the offence of murder of deceased. If the applicant is released on bail he may repeat such offence in future and he may tamper the evidence and witnesses. Hence, prayed for grant of rejection of the application.
7. Learned Counsel for the applicant submitted that the applicant is falsely implicated in this crime. The investigation is completed and charge-sheet is filed. The applicant is poor person and when he released on temporary bail from jail, his accident took place and he fell in a ditch in rainy season and his face was disfigured and since then he is on wheelchair. The applicant accused had thereafter surrendered and sent to jail. The applicant suffering from physical and mental ailments. His wife is also suffering from illness viz chest pain, sinusitis and other complication. His family is facing starvation problem. If the applicant released on bail, he is ready to co-operate the investigation and he is only earning member in his family. Hence, prayed for grant of bail.
8. Learned APP opposed the application and submitted that the offence is serious. Earlier this Court has granted temporary bail to the applicant on the reason of ailment of his wife and now he sought bail on the ground of ailment of himself, but there is no ground to grant bail. The applicant accused committed murder. If released on bail, he

may commit similar offence, therefore, the application deserves to be rejected.

9. I perused charge-sheet and say of the Investigating officer it shows that applicant accused committed the murder of deceased Nitin Khushal Thakare. Earlier in this crime the applicant accused has granted temporary bail on the ground that the wife of accused is suffering from Chest pain with Ischemic Heart Disease with Anemia and for the purpose of further treatment of his wife it was necessary the applicant with her. Thereafter, the applicant took place accident and then he surrender before the Court and sent to jail. The applicant submitted that he is suffering from physical and mental ailments. Therefore, call report from Jail it appears that the Doctor had given advise him to test of Cerebral Spinal Fluid and Jail authority is giving treatment him in Medial College, Nagpur. After perusal of medical report it shows that accused is recently detected systemic hypertension with vertigo (peripheral) with congenital mystgmus. CT-Head-Communicated minimally displaced fractures of both walls of frontal sinus, bilateral mixillary sinus and poster lateral wall of left mixillary sinus. Accused is in custody since last 1 and 1/2 years. Now the charge is filed and it will take time to commence the trial. In such circumstances considering the medical ground in my view the applicant is entitled for bail. So I proceed to pass following order.

**ORDER**

1. Application (Exh70) is hereby allowed.
2. Applicant ***Jageshwar S/o Vitthal Thakare***, be released on bail, on executing Personal Recognition for bond of Rs.100,000/-(Rupees One Lakh only) with solvent surety in the like amount and cash security amount of Rs.5000/-, in Crime Register No.241 of 2024 of

Parseoni *Police Station*, for the offence punishable U/Section 302, 201 r/w 34 of the Indian Penal Code and Section 4/25 Arms Act, subject to following conditions :- :-

1. *The applicant shall not tamper with the evidence and the witnesses, in any manner. Further, the applicant is directed, they shall not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.*
2. *The applicant shall not commit the similar offence of which he is charged.*
3. *Applicant is further directed as to submit complete address proof, mobile phone of his own and as well as two those persons who is related to him.*
4. *Applicant/accused shall attend the Court on each date without failed and co-operate with the trial.*
5. *He shall attend police station Parseoni on first date of every month till evidence of complainant is recorded before the Court.*
6. *Further, the applicant is directed as breach or violation of any of the condition, shall be the ground for cancellation of bail.*

Dictated and pronounced in open Court.

Date : 20<sup>th</sup> January 2026.

(Manish S. Ganorkar)  
Additional Session Judge-6, Nagpur.