

MHPA010012872026.



ORDER BELOW EXHIBIT NO. 01 IN
CRIMINAL BAIL APPLICATION NO. 409/2026

Sachin Bhagwanrao Kadam Vs. State

[Passed on 05^h June, 2026]

Accused – applicant Sachin Bhagwanrao Kadam has filed this bail application under Section 483 of Bhartiya Nagarik Suraksha Sanhita, 2023 in connection with Cr.No.142/2026 registered at Police Station Chudawa, tq. Jintur, Dist. Parbhani for offences punishable under Sections 109(1), 118(2), 126(2), 296, 115(2), 189, 190, 191(3), 351(3) of Bhartiya Nyaya Sanhita, 2023.

02. The prosecution case, in short, is that informant Prakash Ganpati Mohite in Yashosai Hospital, Nanded made statement before police that he resides at Dhanora Motya. He is an agriculturist. Her mother was contesting Panchayat Samiti Election. However, accused Sagar Khallal and his friends abused to the informant and directed him to withdraw nomination of his mother and they threatened to kill him. Nomination was not withdrawn, hence, Sagar Khallal and his associates had angered against him. It has alleged that on 13.05.2026 the informant with one Onkar Mohite was returning back from Tridhara by motorcycle, however, ahead of Novelty Bar three unknown persons came there by splendor motorcycle and restrained the informant. Then the accused Sagar Khallal and Sachin Rengade came there by Bullet motorcycle and had tried to rush the motorcycle on his person. Accused Sagar Khallal abused to the informant in filthy language and assaulted the informant by iron rod on his head

with intent to kill him. Due to which informant sustained bleeding injury and fallen down. Accused Schin Rengade assaulted the informant by iron rod on his hand, due to which his hand was fractured. Accused Sachin Rengade threatened to kill the informant. Then the accused Vilas Desai came there by splendor motorcycle and rushed the motorcycle on left leg of informant. Then Vilas Desai assaulted the informant by fighter on his head, chest, stomach and hand. The above six accused assaulted the informant by fists and kicks blows. Other three unknown persons also assaulted the informant by stone. Onkar Mohite was frightened. Hence, he did not try to intervene. After that Onkar Mohite and others brought the informant to Yashosai hospital, Nanded.

03. On the aforesaid report the crime came to be registered against accused Sagar Khallal, Sachin Rengade, Vilas Desai and three unknown persons.

04. It is contention of the accused that he has not committed the alleged offences. He has no concern with the alleged offence. His name is not mentioned in the FIR. The FIR is lodged after four days without explanation of the delay caused. Vague allegation are made against the three unknown persons that they assaulted the informant by stone. But there is no reference on which part of the body they assaulted by stone. His submission is that offence under Section 109 of BNS does not attract against him. He was arrested on 21.05.2026 and on the same day he was remanded to MCR. Material investigation is completed. His further detention is not required. He is young boy. There is no any criminal antecedent to his credit. He

has immovable property within the jurisdiction of the Court, hence he will not abscond. He is ready to abide conditions imposed by the Court. He prayed to release him on regular bail.

05. Resisting the application, the Ld. APP Mr. N. S. Khalikar in his say Exh.6 has submitted that this accused was accompanied by the main accused. Other two accused are absconding. This accused will assist to absconding accused. Investigation is in progress. If accused is released he will pressurize to the witnesses or will commit offence against the witnesses. He prayed to reject the application.

06. I.O. has submitted that other accused are to be arrested. The accused will pressurize to the witnesses or will commit offence in future. He submitted to reject the application.

07. I have heard Ld. Adv. Mr. S.R.Bhutada for the accused and Ld. A.P.P. Mr. N.S. Khalikar for the State.

08. Ld. Advocate of the accused has argued that name of this accused is not mentioned in the FIR. There is four days unexplained delay to lodge the complaint. Due to political dispute FIR is lodged. The informant is discharged from the hospital. Nothing is seized from the accused. Considering the allegations levelled against the unknown person Section 109 of IPC does not attract. Further custody of the accused is not required. He argued as per bail grounds and submitted to release the accused on regular bail. On the other hand Ld. APP Mr.Khalikar has submitted that this accused was along with other main accused. If the accused is released he will pressurize to the witnesses. The informant appeared through Advocate and filed

written argument. I have gone through the written argument. Crimes are pending against the accused Sagar Khallal. If the accused is released there would be danger to his life. He prayed to reject the application.

09. I have gone through the record. There is no allegations that this accused assaulted to the informant on his vital part. The accused is behind bars since 21.05.2026. Remand papers shows that nothing is seized from the accused. In such circumstances it appears to me that further custody of the accused is not required for investigation of this crime. Bail is rule and jail is exception. Considering the allegations levelled against the accused it reveals that this is not fit case to keep the accused behind bars till filing of charge-sheet or conclusion of trial. The accused, therefore, is entitled to release on regular bail. Hence, I pass the following order.

Order

1	The application is allowed.
2	Accused-applicant Sachin Bhagwanrao Kadam be released on bail on his executing PR.bond of Rs.25,000/- with surety in the like amount in connection with Cr.No.142/2026 registered at Police Station Chudawa, tq. Jintur, Dist. Parbhani for offences punishable under Sections 109(1), 118(2), 126(2), 296, 115(2), 189, 190, 191(3), 251(3) of Bhartiya Nyaya Sanhita, 2023, on following conditions.
3	The accused-applicant shall not hamper or tamper with the prosecution evidence and shall not pressurize to the witnesses.
4	The accused-applicant shall remain present before investigating officer within one month if called by I.O.

5	The accused-applicant shall not commit such type of offence in future.
6	The accused-applicant shall attend the trial after filing of charge-sheet regularly on every date without reasonable excuse.
7	The accused-applicant shall furnish his residential address at the time of execution of bond and shall not change his residence without prior permission of the Court.
8	Soft copy of this Order be sent to the accused-applicant through concerned Jail Superintendent.
9	Inform to concern police station accordingly.
10	Bail before remand Court.

Date: 05.06.2026.

(Gautam G. Bharne)
Additional Sessions Judge, Parbhani.