

**ORDER BELOW EXH.1**

1] The applicants **(1) Kisan Nannabhau Kedari and (2) Vikas Vilas Gawade**, have filed this application as per Sec. 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of bail in respect of Crime No.19 of 2026 registered with Shikrapur Police Station for the offenses punishable U/Sec. 310(2) of Bharatiya Nyay Sanhita.

2] It is contention of the applicants that they had not played any role in the incident. They are not aware about the said alleged complaint. They are innocent and have been falsely implicated. The complainant has not mentioned the names of any accused anywhere in the said complaint. The ingredients of section 310(2) of BNS are not attracted. The complaint is based merely on suspicion. There is no recovery of stolen property from them. They are permanent resident of given addresses. There is no possibility of absconding or tampering with evidence. They are ready to cooperate with the investigation and abide by any conditions imposed.

3] The prosecution filed reply and opposed this application on the grounds that the wooden log used in the crime is seized under memorandum panchanama. The offence is serious. The victim is injured in the present crime. If the applicants are released on bail, they may help to absconding accused no. 4 and 5. There is possibility of commission of similar crime and possibility of tampering with witnesses.

4] Heard both the sides perused investigation papers.

5] On perusal of copy of the FIR it appears that the complainant has filed complaint on 11/1/2026. He informed that on 10/01/2026 he left

for Manchar to purchase seeds and came back at 7.00 pm and then went to sleep along with family members. At about 11.30 to 11.45 pm his wife opened the door and went outside for attending nature's call. After that she raised shout. Therefore, he along with his son came out and saw five persons were approaching towards them holding weapons and wooden sticks. Therefore, they all went inside the house by raising hue and cry. After that those persons tried to open the door of house and at that time one person assaulted him by means of wooden rod on his head. The neighbours gathered there, therefore, those persons fled away. After that his brother came there and made phone call to Shikrapur Police station. Then he came at police station. He was referred for medical treatment. After that he lodged complaint.

6] During course of investigation the applicants and one co-accused came to be arrested. During course of investigation one wooden rod, one four wheeler and several articles came to be seized. The co-accused no. 4 and 5 are to be arrested.

7] After considering fact that the complaint was filed against unknown persons. The reply of prosecution is silent as to whether test identification parade was conducted or not. Moreover, further custody of applicants is not required for further investigation. It is true that there are criminal antecedents of the applicant no.1. However, considering above mentioned facts the applicants can be released on bail by imposing certain conditions. Hence, I pass the following order.

#### **ORDER**

- 1) The application filed by applicants 1) **Kisan**

**Nanabhau Kedari and (2) Vikas Vilas Gawade**, for grant of bail in respect of Crime No. 19 of 2026 registered with Shikrapur Police Station for the offenses punishable U/Sec. 310(2) of Bharatiya Nyay Sanhita, is allowed.

- 2) The applicants be released on bail on execution on his P. R. of Rs. 30,000/- each with one surety each in the like amount subject to following conditions-
  - i) The applicants shall remain present at concerned Police Station in between 11.00 AM to 01.00 PM on first day of each month till conclusion of investigation and in the event of filing of chargesheet till conclusion of trial.
  - ii) The applicants shall attend the Court on every date unless exempted and cooperate in speedy trial of the case.
  - iii) 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 them from disclosing such facts to the Court or to any police officer.
  - iv) They shall not commit such similar offence.
  - v) They shall not leave India without prior permission of Court till conclusion of trial.
  - vi) They shall furnish the details of other crimes pending against them along with case number and name of the Court and stage of the proceedings at the time of furnishing bail.
  - vii) They shall furnish documents showing his photo identity and place of residence and

names of the family members at the time of furnishing bail and name of the police station within whose jurisdiction his place of residence is situated.

- 3) Inform to the concerned police station and the Officer in-charge of the Police Station shall inform to the police stations where the other crimes are registered against the present applicants along with details of the present case and copy of arrest panchanama of the present applicants and submit report accordingly to this Court.

Ghodnadi-Shirur.  
Date: 20/03/2026

(S.P POL)  
Additional Sessions Judge,  
Ghodnadi-Shirur, Dist. Pune.