

MHSO010005882023



**SC No.71/2023**  
**State Vs. Pradnya Kamble etc.**

**ORDER BELOW Exh.18**  
( Passed on 21.07.2023 )

This is an application (Exh.18) under section 439 of the Code of Criminal Procedure for releasing applicants/accused namely Rajnikant Revansidha Balshankar and Ramakant Revansidha Balshankar on regular bail in Crime No.284/2022 registered with Jodbhavi Peth police station for offence punishable under Section 307, 326, 324, 141, 142, 143, 144, 147, 148, 149, 504, 506 r.w. Sec.4/27 of Arms Act, r.w. Sec.102, 117, 37(1), 135 of Maharashtra Police Act.

2 According to them, they are manager of their family and marriage of their sister is scheduled as well as their mother required to be operated on eye. They were assaulted by present informant by means of sword, stick, iron rod and other weapons, so they went to police station to lodge report against them, but police avoided to register hence, and their niece Budhbhushan filed private complaint against the informant and other and now, the Court ordered to be register offence against informant and 19 other persons. The applicants / accused are involved in false case. Lastly, they prayed to allow the bail application.

3 The learned A.P.P. has opposed the bail application vide Exh.19 and denied all the contention. Further, on 03.06.2022, while

celebrating birthday of son of Rajnikant, Rajnikant assaulted by sword to the informant, co-accused Vishwabhusan, Gabbar, Anket, Balaji, Ramkant, Pradnya and Rekha formed unlawfully assembly and assaulted mother of informant Vaijayanti, Ranjana, and Vaibhav by means of sticks, bricks and stones. They pelted stones at their house. The present applicant Rajnikant and Ramakant assaulted father of informant by wooden stick. They also assaulted Shubham Hotkar who intervened the quarrel. He sustained injury by sword on head and eye. The offence is serious and non bailable, prima facie there are involvement of present applicants. If they released on bail, then they will commit such type of offence, they will not remain present in Court and will flee away. There are material evidence against the applicants. Filing of charge-sheet is not means the change in circumstances. There are criminal antecedents. Previous bail applications are rejected. Hence, learned APP prayed to reject the application.

4 I have perused the application and record. Heard Ld. Counsels for both the parties. Also perused the authority cited by the ld. Counsel for accused person i.e **Ganga Prasad Vs. St. of Uttar Pradesh 1987 DGLS(SC) 88.**

5 It appears that informant has stated that two swords were used by the these accused persons/applicants. It also appears that whatever injuries sustained by the informant and other witnesses due to assault by these accused persons/applicants. As on the basis of private complaint cognizance was taken is no ground to grant bail to these applicants. In the same way charge-sheet is filed in the court report is also no ground to grant bail in serious non bailable offences. As discussed above allegation against applicants are serious in nature . So keeping in view the prima facie material on record releasing accused

person on bail is not justifiable. Resultantly, upcoming order.

**ORDER**

[1] The bail application is hereby rejected.

[2] Application is disposed off accordingly.

[Dictated directly on computer and pronounced in open court.]

Date : 21.07.2023

(Smt. I. A. Shaikh/Nazir)  
I/c. Additional Sessions Judge, Solapur

## CERTIFICATE

I affirm that the contents of this PDF file order are same word to word as per the original order.

- a) Name of the Stenographer : S. A. B. Shiakh, Steno. Grade - I
- b) Court : Additional Sessions Judge, Solapur
- c) Date of Order : 21.07.2023
- d) Order signed by the Presiding Officer on : 21.07.2023
- e) Order uploaded on : 24.07.2023