

MHST010010432026



**IN THE COURT OF ADDITIONAL SESSIONS JUDGE, SATARA
Criminal Bail Application No.249 of 2026**

Suresh Maruti Shelke

..Applicant

V/s.

State of Maharashtra

..Respondent

Mr. S. H. Panhale, Advocate for applicant.

Ms. G. M. Lakade, Addl. P.P. for the State.

**Coram: Mr. S. R. Tamboli,
The Addl. Sessions Judge, Satara,**

:: ORDER BELOW EXH. 1 ::

1. In the present application, the applicant has prayed for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

2. In brief, the case of the prosecution, as disclosed in the FIR, is that Prasad Ratnakar Shelke had sold an ox after training it for running competitions. The said ox had won competitions, and he had uploaded its status on his mobile phone. Accused Amol Balkrishna Kadam also owned two to three oxen trained for running competitions. However, his oxen did not win any competitions, and he too had uploaded their status on his mobile phone. A dispute arose between the informant and accused Amol

over the status of the oxen uploaded on their mobile phones. On 01/06/2026, at about 8.30 p.m., the informant was chatting with Akshay Shelke, Yogesh Shelke, Sanjivan Shelke, Pravin Shelke, and Pranav Shelke near the Gram Panchayat Office at Shelkewadi. At that time, his uncle had gone near the Vitthal Temple. On hearing the sound of a quarrel, the informant, along with the aforesaid persons, rushed to the spot. There, Amol Kadam, Sahil Shelke, Rohit Adhav, and Akash Shelke were armed with sticks. They abused and threatened the informant and his companions. Pratik Shelke, Ravindra Shelke, Suresh Shelke, and Vaibhav Adhav were armed with stones and sticks. Accused Amol instigated the others to kill the informant and the aforesaid persons. Thereafter, Rohit Adhav assaulted the informant with a stick on his shoulder, the back of his head, and his right hand. Amol allegedly struck Pravin on the head with a stick. Rohit Adhav and Pratik Shelke also assaulted Pravin with sticks. Akash Shelke and Sahil Shelke assaulted Pravin with sticks as well as with fist blows on his head and near his eyes. Ravindra and Suresh assaulted Sanjivan with fist and kick blows, while Pratik struck Sanjivan on the head with a stick. All the accused assaulted Shrimant Shelke, Vitthal Shelke, and Bhau Shelke with stones, fists, and kicks. When Pravin became unconscious, all the accused fled from the spot.

3. In the backdrop of these facts, Mr. S. H. Panhale, learned counsel for the applicant, submitted that the applicant had not assaulted Pravin on his head with a stick. Therefore, no prima facie case is made out against the applicant for the offence punishable under Section 109 of the Bharatiya Nyaya Sanhita. He

further submitted that the remaining offences alleged against the applicant are not punishable with death or imprisonment for life. According to him, the FIR lodged by Amol Kadam is a counterblast to the FIR. The applicant has been falsely implicated in the case. He is an elderly person, and only vague and omnibus allegations have been made against him. The injured persons have already been discharged from the hospital, and there is no possibility of escalation of the offence. The applicant is a permanent resident and is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed that the applicant be released on bail.

4. Mr. P. S. Shinde, learned counsel for the informant, submitted that there was a delay of about 21 hours in lodging the counter FIR. Three persons sustained injuries in the incident, and Pravin suffered a grievous head injury. The applicant was a member of the unlawful assembly. Pravin remained admitted to the hospital for 21 days, and the other two injured witnesses were also hospitalised for 11 days. The investigation is at a preliminary stage. Hence, he prayed that the application be rejected.

5. Ms. G. M. Lakade, learned Additional Public Prosecutor for the State, submitted that the offence is serious and that there is a prima facie case against the applicant. She further submitted that the applicant was a member of the unlawful assembly, the investigation is at a preliminary stage, and there is every likelihood that the applicant may tamper with the prosecution evidence if released on bail. Hence, she prayed for dismissal of the application.

6. The allegations in the FIR show that the blow on Pravin's head was allegedly inflicted by co-accused Amol Kadam with a stick. The police papers do not contain the injury certificates of the other injured witnesses. No specific allegation has been made that the present applicant assaulted Pravin with a stick on any vital part of his body. Considering that the incident arose out of a dispute regarding the status of an ox uploaded on a mobile phone, the possibility of exaggeration in the prosecution version cannot, at this stage, be ruled out. Consequently, no prima facie case for the offence punishable under Section 109 of the Bharatiya Nyaya Sanhita is made out against the applicant. The muddemal has already been recovered, and the injured persons have been discharged from the hospital. The investigation and trial are likely to take considerable time. No useful purpose would be served by detaining the applicant in custody by way of pre-trial punishment. The apprehension regarding tampering with the prosecution evidence can be adequately addressed by imposing appropriate and stringent conditions. Therefore, I am inclined to grant bail to the applicant. Accordingly, I proceed to pass the following order.

ORDER

1. The application is allowed.
2. The applicant, Suresh Maruti Shelke, be released on bail in connection with Borgaon Police Station C.R. No. 154/2026, on furnishing a PR bond and surety in the sum of Rs. 50,000/-, subject to the following conditions:

(a) The applicant shall not, directly or indirectly, make any

inducement, threat, or promise to any witness and shall not tamper with the prosecution evidence.

(b) The applicant shall attend the concerned Police Station as and when called by the Investigating Officer.

(c) The applicant and his surety shall furnish their residential addresses and mobile numbers and shall not change the same without prior intimation to the Investigating Officer.

3. The applicant shall furnish bail before the concerned Court.

4. A copy of this order be sent to the District Central Jail, Satara, by e-mail.

Date- 30/06/2026.

(S.R.Tamboli)
2nd Addl. Sessions Judge, Satara.