

**ORDER BELOW EXH.26 IN SESSIONS CASE NO. 63/2023****CNR : MHST01-001539-2023***(State of Maharashtra Vs. Umesh Bhalerao Bhoite)*

1] This is an application filed by accused no. 3 Umesh Bhalerao Bhoite for relaxation of condition imposed in the bail application. It is requested that the condition imposed against the accused in bail application be modified and he may be permitted to attend the meeting of village Panchayat, Wagholi, Tal. Koregaon, Dist. Satara.

2] By order dated 28.08.2023 in Criminal Bail Application No. 548/2023, the condition was imposed against the present accused prohibiting him not to enter into Satara district during pendency of the trial except on the date of the hearing of the case. Accused is the member of Gram Panchayat, Wagholi, Tal. Koregaon, Dist. Satara. It is contended that since the accused was absent continuously for more than six months in the monthly meeting of the Gram Panchayat hence show cause notice has been issued against him by the Block Development Officer, Panchayat Samiti as to why he should not be disqualified as a member of gram panchayat. The accused is called upon to submit his explanation on 25.10.2023. It is further contended that the monthly meeting of Gram Panchayat is to be held on 26.10.2023 and accused being the elected member of Gram Panchayat, he is required to attend the said meeting.

3] Heard Ld. Advocate for accused. He contended that if the accused failed to attend the meeting then his position as elected

member of Gram Panchayat may come into stake and he would be disqualified as Gram Panchayat Member and it will cause great prejudice to him.

4] Needless to mention that it is a right of elected member to attend the meeting of the local body. However, at the same time the interest of prosecution is also to be kept in mind. In such circumstances, in my considered opinion, the permission can be granted to the accused to enter into the village Wagholi, Tal. Koregaon, Dist. Satara for the purpose of meeting of the Gram Panchayat, obviously on certain conditions. Hence, I pass the following order.

**ORDER**

- 1) Application Exh. 26 is allowed.
- 2) The accused Umesh Bhalerao Bhoite is permitted to remain present in the office of Gram Panchayat, Wagholi, Tal. Koregaon, Dist. Satara on 25.10.2023 from 12.00 noon to 2.00 pm.
- 3) The accused is further allowed to remain present in the office of Gram Panchayat, Wagholi, Tal. Koregaon, Dist. Satara on 26.10.2023 from 10.00 a.m. to 12.00 noon.

Place : Satara  
Date : 21.10.2023

(Ashok S. Jadhav)  
**Addl. Sessions Judge,**  
**Satara.**