

MHST01-001539-2023



IN THE COURT OF ADDITIONAL SESSIONS JUDGE, SATARA
Sessions Case No.63 of 2023

State of Maharashtra ...Complainant

Vs.

Ravi Balwant Yadav etc. 3 ...Accused

Mr. N. D. Muke, A.P.P. for the State.

Mr.M. B. Nikam, Advocate for accused.

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

:: ORDER BELOW EXH.219 ::

In the instant application, accused Sandip Balwant Yadav has prayed for temporary bail.

2) The case of prosecution is that, deceased Sunil Shankar Bhoite is the brother of the informant Mohan Shankar Bhoite. Accused no. 4 Chaya is the wife of another brother of deceased and informant. Accused no.4 has two daughters namely, Reshma and Sushma. Accused no. 1 Ravi Balwant Yadav is the husband of Reshma and No. 2 Sandip Balwant Yadav is the husband of Sushma. Over the matrimonial dispute with her husband, accused no.4 has been residing separately since 1989. She has inherited immovable property bearing Gat no.633 from her mother, situated under the jurisdiction of 'Manmoda' village. She sold her share in this property to the accused no. 3 Umesh Bhoite on 12.08.2022. Said land was under the cultivation of

Namdev Shankar Bhoite. On this count, there was a dispute between accused no.4 and the family members of deceased. The land bearing Gat an. 625 was possessed by Shankar. However, the mutation entry to that effect remained to be taken and this field was standing in the name of accused no. 4 in the revenue record. Namdev Bhoite had filed the civil suit bearing R.C.S.No 239/2022 against accused no. 4 and other co-sharers in the Court. On 17.04.2023 at about 07.07. pm, when the informant Mohan was at his home, his nephew Sai Sunil Bhoite informed him on phone call that accused No. 1 and 2 came in Car when he was proceeding on the motorcycle of his father towards the field. They obstructed their motorcycle and on instigation of accused no. 2, accused no. 1 fired bullets on his father Sunil Shankar Bhoite. One Sherkitan Pathan and Fardin Pathan took the injured to Government Hospital. On receipt of this information, informant Mohan rushed to hospital along with his wife. Informant Mohan came to know that Sunil Bhoite died due to the bullet injuries.

5) In the backdrop of these facts, Mr. M. B. Nikam Ld. Counsel for the accused no. 2 submitted that, on 6/12/2025 the father of the accused died at Aakurdi. The brother of the accused is also in jail. Therefore, besides the present accused, there is no body to perform the religious function of his father. Hence, he prayed that, temporary bail be granted to the accused.

7) Per contra Mr. N. D. Muke Ld. A. P. P. for the State submitted that, the bail application of the co-accused is dismissed on merit. Co-accused filed Special Leave Appeal No. 17625/2024

before the Hon'ble Supreme Court. Said appeal is dismissed on merit on 2/9/2024. Role Co-accused and present accused is same. The child witness has seen the incident. If accused is released on bail, there is threat to the life of child. Accused may be pressurise him. Hence, he prayed to reject the application.

8) The offence alleged against the accused is serious. Bail application of co-accused is dismissed on merit. Even the Hon'ble Supreme Court has dismissed the special leave petition filed by the co-accused. Role of accused is more serious than co-accused. Considering the gravity of the offence, no case made out by the accused for grant of bail. Accused has not prayed to attend function in police escort. Therefore, I pass following order.

ORDER

Application is dismissed

Place : Satara
Date- 06.12.2025.

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