

MHST190000892025



**ORDER BELOW APPLICATION (EXH.44) IN
SPECIAL SESSION CASE NO.20/2025**

**(The State of Maharashtra Vs. Indrajeet
Hindurao Desai & ors.)**

The accused No.2 Eknath Arjun Mohite has filed this application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita 2023 (In short BNSS, 2023) for regular bail.

2. It is contended that, the accused No.1 & 3 have been released on bail. There is a delay of five days to lodge First Information Report. Investigation is over and charge sheet has been filed. No purpose will be served by keeping the applicant / accused behind the bars. The applicant / accused is only earning member in his family. He is a politician and he has not committed any offence. So urged to allow the application.

3. The Investigating Officer filed reply vide (Exh.44) and resisted this application by contending that the offence is serious in nature. The other co-accused is yet to be arrested. The accused was absconding for 90 days. If the applicant / accused is enlarged on bail then the possibility of tampering prosecution evidence and threatening prosecution witnesses cannot be ruled out.

4. The notice of this application is served upon the da-facto informant Mayur Vikas Jadhav was served. However, he didn't appear.

5. Heard learned advocate appearing for the applicant/accused and Learned A.P.P. appearing for the prosecution. Gone through the material on record.

6. The applicant/accused and co-accused have been charge

sheeted for the offences punishable under Sections 109, 140(1)(2), 61, Section 3(5) of the Bharatiya Nyaya Sanhita and Section 3(2)(v) & 6 of the Scheduled Castes and Scheduled Tribes Prevention of Atrocities Act 1989.

7. It is case of the prosecution that, on 28.11.2024 the informant Mayur Vikas Jadhav and his friends namely Juber Shaikh and Ajay Mahamulkar had gone to dinner. The informant's father Vikas Jadhav died on 08.09.2024 due to diabetes. The informant's father had taken hand loan of Rs.4,00,000/- from Indrajeet Desai. After death of father, said Indrajeet Desai repeatedly visiting house of the informant for repayment of said hand loan amount. On 26.11.2024, informant's brother namely Yash had given amount of Rs.1,50,000/- to Indrajeet Desai and also executed a document in writing and registered before notary about repayment of remaining amount.

On 28.11.2024, when the informant and his two friends had dinner and thereafter they sat in his vehicle Balero. At that time, the applicant / accused and co-accused entered into the vehicle and taken them towards Adarki Fata. The applicant / accused was sitting on the wheel. He threatened to the informant by saying that he is Eknath Mohite, he has committed 30 murders till now, he has (informant) to repay Rs.1,50,000/- to Indrajeet Desai with interest Rs.350000/- i.e. he has to pay Rs.5,00,000/- to Indrajeet Desai, else he will be killed. The another co-accused Juber friend of the informant resisted to the applicant / accused and other co-accused so he was stabbed by knife in his stomach. So Juber sustained grievous bleeding injury. Then, the applicant / accused and co-accused threw Juber and Ajay, a friends of the informant on Adarki-Phaltan road. Thereafter, the applicant / accused changed the

vehicle of the informant and took the informant in his own vehicle. They took informant towards Phaltan and then towards Dahivadi. The accused and his associates stopped near one dilapidated house for night halt. When the applicant / accused and co-accused were in deep sleep, the informant escaped from their custody and ran towards Gondavale and thereafter, he came to Satara and lodged report.

The applicant / accused has stated to the informant that he has taken the contract of killing of the informant for recovery of hand loan amount of Indrajeet Desai. Said contract was given by the co-accused Indrajeet Desai.

8. The material on record shows that the applicant / accused has given disclosure statement and the weapon knife has been seized. The injured Juber Shaikh has sustained grievous injury. He was stabbed by weapon knife on stomach with intention to commit his murder.

9. The Learned A.P.P. appearing for the prosecution submitted that the applicant / accused has criminal antecedents. On perusal of charge-sheet, it appears that the Investigating Officer has given list of earlier criminal and antecedents of the applicant / accused. There are 19 crimes have been registered against the applicant / accused. Said crimes are registered for the bodily offences punishable under Sections 302, 307, 395, 363, 385, 387, 427, 353 of the Indian Penal Code. Further crimes have been registered under the Bombay Prohibition Act, under the Maharashtra Police Act, under the Arms Act. Further, it appears that the applicant / accused was deported for two years by order dtd. 29.05.2000. This shows that the applicant / accused is involved in criminal activities and there are 19 crimes

have been registered against him in different police stations.

10. The material on record prima facie shows about the involvement of the applicant / accused in serious crime of attempt to commit murder and Abduction with intention to commit murder. The applicant / accused himself has mentioned in the application that he is a politician. This support the apprehension of the Investigating Officer about possibility of threatening the prosecution witnesses and tampering prosecution evidence, if the applicant / accused is enlarged on bail.

11. Considering the nature of offence, its gravity and facts and circumstances of this matter as well as the apprehension of the Investigating Officer, the applicant / accused does not deserves to be enlarged on bail. Considering the role of the applicant / accused, he is not entitled for parity. Hence, following order:

ORDER

The application (Exh.44) is hereby rejected.

(Dictated and pronounced in the open court.)

Wai.
23.06.2025

(D.B. Mane)
Additional Sessions Judge, Wai.

CERTIFICATE

“ I certify that this order uploaded is a true and correct copy of original signed order”

Order dictated on	:	23.06.2025
Order checked and signed on	:	23.06.2025
Uploaded by	:	Sangita S. Kumbhar, Stenographer (Grade-III)
Uploaded on	:	23.06.2025