

Cri.B.A.No.99/2026
Subhash+1 v. State
MHWS010003252026

Order below Exh.1.

The applicant no.1 Subhash Dasharath Jamdhade and 2. Pravin Subhash Jamdhade have filed present application for grant of regular bail under section 483 of BNSS, 2023 in crime no.164/2026 for the offence punishable under sections 118(1), 118(2), 115(2), 351(3), 3(5) of BNS 2023 registered with Police Station Risod, Tq.Risod, Dist. Washim.

2. Heard learned advocate for the applicants/accused and learned APP for the State. Also heard learned advocate for complainant.

3. The case of prosecution in brief is as under :-

Complainant alleged in her complaint that she was resident of Patur, Tq.Patur, Dist. Akola.. She resides at Ukkirkheda with her family. In the village Ukkirkheda the father of complainant possessed 5 ½ acre agricultural land in E class area. In that land, the father of complainant had given 1 ½ acres land to the complainant and remaining land had given to her mother Padmabai and her brother Subhash (applicant no.1). On 03/02/2026 at 11 pm, complainant went to disputed land with her goats. On that day, the goat of complainant went to the field of her mother. At that time applicant no.1 and 2 came there and quarreled with complainant and they assaulted complainant with an axe on her right hand palm and applicant no.2 also assaulted her by wooden stick on her thigh and legs. When her mother Padmabai and daughter Anuradha came to convince them, applicant no.2 assaulted Padmabai by wooden stick. Hence, complainant lodged report

against the applicants.

4. The learned advocate for the applicants/accused submitted that the allegations of the complainant in FIR are totally false, wrong and ambiguous and concocted story made by complainant. The incident took place on 03/02/2026, police recorded statement of complainant on 10/02/2026 and FIR is registered on 11/02/2026. It seems that there is 7 days delay in registering the FIR and there is no any explanation about delay is caused. It is submitted that police arrested the applicants on 12/02/2026. The applicants are poor and their livelihood depend on the agriculture work. The offences are non bailable and applicants are in behind the bar since 11/02/2026. The investigation is about to complete hence there is no necessity to keep applicants behind the bar. It is submitted that prior to this, two bail applicants came to be rejected by lower court. The applicants are ready to abide by all the terms and conditions imposed by the Court. They are ready to co-operate the investigating officer. Hence, prayed for allowing the application.

5. Learned APP and investigating officer filed their say at Exh.5 and objected the application on the ground that the informant and applicants no.2 are real brother and sister. There is dispute between informant and applicants over the E class land. Applicant no.1 threatened informant to kill. If applicants/accused are released on regular bail, they may pressurize complainant and prosecution witnesses. Hence, they prayed to reject the application.

6. I have gone through the record. It appears that previously on 12/02/2026 and 04/03/2026 the bail application of the present

accused came to be rejected by the learned trial Court on considering active involvement of these accused in alleged crime. On perusal of Report of medical on examination of injuries of informant Mangalabai, it appears that there is lacerated wound over right hand caused by hard and sharp object and there is also blunt trauma over lower back caused by hard and blunt object. On perusal of radiograph of the hand (Ap and Lateral views) it also appears that Bicortical displaced fracture noted at 5th metacarpal bone with associated soft tissue swelling is mentioned under the 'Impression' head. Charge sheet is not yet filed and investigation is still in progress. It is an admitted fact that informant is sister of applicant no.1 and there is previous dispute between them regarding agricultural land. Hence, if accused are released on bail, they may commit similar type of offence again or pressurize prosecution witnesses. Hence, considering the active role of applicants, they are not entitled to grant bail at this stage. Hence, following order.

ORDER

Application is rejected.

Date : 01/04/2026

(V.D.Ingle)
Additional Sessions Judge,
Washim.

CERTIFICATE

I affirm that the contents of this P.D.F file Judgment/ Order are same word to word, as per the original judgment/order.

Name of Stenographer :- R.R.Bharad, Stenographer (Grade-I)

Name of Court :- Smt.V.D.Ingle
District Judge-2 and Additional
Sessions Judge, Washim.

Date of Judgment/ Order :- 01/04/2026

Judgment/Order signed by :- 01/04/2026
the Presiding Officer on

Judgment/Order uploaded on :- 02/04/2026