

ORDER BELOW EXH.60

1. Read application, say filed by A.PP overleaf and say filed by the I.O at Exh.61. Heard Ld. advocate for accused and Ld. Add.PP at length.
2. The present application is filed by the accused to grant bail under section 483 of B.N.S.S.
3. Perused the file. It is the contention of the accused that there is delay in filing the F.I.R, the applicant has no criminal background and he is in jail since 1/5/2024. The chargesheet was filed in the present case on 30/7/2024 and the matter was committed on 2/12/2024. The applicant had filed the application for grant of bail and the same was decided on 24/7/2025 i.e. after about more than 6 months. Thereafter, the witnesses was examined but now the prosecution is recalling the witnesses under section 311 of Cr.P.C. As the application was not decided in time the applicant could not approach the higher court and is lingering in jail. There is a delay in conducting the matter on each and every stage and hence the applicant is entitled be released on bail. The applicant is ready to abide by any condition imposed by the court and will not tamper with the prosecution evidence. Hence, his application be allowed and accused be released on bail.
4. Both the Add.PP and I.O has opposed the application and submitted that, there is strong evidence on record against the

applicant. The prosecution is taking the steps diligently considering the fact that the accused is in jail. Further as per I.O, the friend of the accused has pressurized the informant to withdraw the case against the accused and the accused himself had threatened to murder the family members of Chande family. The accused is having criminal background and hence the application is needs to be rejected.

5. Considering submissions of both the sides so also perusal of the record. It appears that, prosecution has examined almost all the witnesses. Considering the fact that accused is under trial, the trial had commenced in the absence of weapon and C.A. report. After receipt of the weapon and C.A. report the prosecution has filed application to recall the witnesses for showing them the weapon and the statement of the witnesses recorded under section 164 of Cr.P.C. The trial is at the fag end. Previous bail application of the accused was rejected on merits and their appears no change in circumstances. At this stage, grant of the fresh application in absence of changed circumstances would not be justified. The prosecution is taking steps diligently and hence, I proceed to pass following order.

ORDER

1. Application is rejected.

Place : Washim
Date : 14/10/2025.

(M. S. Sahasrabudhe)
District Judge – 3 and
Addl. 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 order.

Name of the Stenographer :-Rajesh M. Rajurkar (Grade -I)

Court Name :-District Judge –3, Washim

Date :- 14.10.2025

Order signed by the

Presiding Officer on :- 14.10.2025

Order uploaded on :-15.10.2025