

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO. 384 OF 2024

The State of Maharashtra

...Applicant

Versus

Laxman Jagannath Madane

...Respondent

Mr. Amit A. Palkar, learned A.P.P. for the State/Applicant.
None present for the Respondent.

CORAM : ASHWIN D. BHOBE, J.
DATE : 11th JUNE 2025.

P.C. :

1. Heard Mr. Amit Palkar, learned A.P.P. for the State/Applicant.
2. By the present Application filed under Section 439(2) of the Code of Criminal Procedure, 1973 (for short "Cr.P.C."), the Applicant is seeking cancellation of bail granted to the Respondent (original Accused No. 1) in Sessions Case No. 263 of 2023.
3. Crime No. 93 of 2023 was registered against the Respondent and other accused for having assaulted Mr. Sachin Hanumant Madane and Mr. Khandu Hanumant Madane. In the said assault, Mr. Sachin Madane succumbed to the injuries inflicted on him, whereas Mr. Khandu Madane was grievously hurt. Role assigned to the Respondent in the said crime is of assaulting Mr. Khandu Madane by use of an axe. The assault on Mr. Khandu Madane was on his shoulder and legs.

4. Respondent filed a regular Criminal Bail Application before the learned Additional Sessions Judge, Sangli in Sessions Case No. 263 of 2023, which Application was marked as Exhibit-43. By order dated 22nd December 2023, the learned Additional Sessions Judge after hearing the parties, has granted bail to the Respondent on the terms and conditions, as mentioned in the said order.

5. Mr. Amit Palkar, learned A.P.P. for the State/Applicant submits that the offence charged in the aforesaid crime against the Respondent as well as other accused are serious in nature. He submits that the reasons given by the learned Additional Sessions Judge in the said order for releasing the Respondent on bail, are perverse. On the basis of the said submission, he prays that the present Application be allowed and the bail granted to the Respondent, be cancelled.

6. With the assistance of Mr. Amit Palkar, learned A.P.P., I have perused the record.

7. The learned Additional Sessions Judge by his order dated 22nd December 2023, has dealt with the prosecution case, the material on record against the Respondent and after having considered the gravity of offence, has released the Respondent on bail. The learned Additional Sessions Judge has formed *prima facie* opinion on the case against Respondent in the crime. Learned Additional Sessions Judge has recorded the reasons for exercising his discretion for releasing the Respondent on bail. The learned Additional Sessions Judge has given due consideration to the factors and parameters while considering the Application for

bail filed under Section 439 of Cr.PC.

8. Even otherwise, it is not the case of State/Applicant that the Respondent has violated any terms of the bail.

9. In view of the above, I do not find any reason to interfere with the order dated 22nd December 2023, passed by the learned Additional Sessions Judge, Sangli in Sessions Case No. 263 of 2023. Hence, Criminal Application No. 384 of 2024 is dismissed.

[ASHWIN D. BHOBE, J.]

GITALAXMI
KRISHNA
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