



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH : NAGPUR**

**CRIMINAL APPLICATION (BA) NO. 667 OF 2025**

Sadashiv Onkar Mirge Vs State of Maharashtra

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Office Notes, Office Memoranda of  
Coram, appearances, Court's Orders  
or directions and Registrar's order

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Court's or Judge's Order

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Mr. A.J. Thakkar, counsel for applicant.

Mr. N.B. Jawade, APP for non-applicant/State.

Mr. Chetan Rajendra Sharma, counsel for Assist to Prosecution.

**CORAM : URMILA JOSHI-PHALKE, J.**  
**DATED : 21/07/2025.**

1. The present application is preferred by the applicant, who is the accused No. 3 in the present application for grant of bail in connection with Crime No. 17/2025 registered with Police Station Jalamb Tah. Shegaon, District Buldhana, for the offence punishable under Sections 103(1), 109, 118(1), 352, 351(2), 351(3), and 3(5) of the Bhartiya Nyaya Sanhita, 2023.

2. The crime was registered on the basis of a report lodged by Shriram Omkar Mirge, on an allegation that on 17/01/2025, when he had been to the market, he came to know that his son was assaulted by his nephew by means of an Axe. Therefore, he came home, and it was disclosed to him that the deceased and his wife had been to the house of the present applicant. At that time, the present applicant came on his person along with the weapon, and therefore, they

left the house, but on the way, the other co-accused, Sopan, and his wife assaulted the deceased. On the basis of the said report, police have registered the crime against the present applicant.

3. Heard learned counsel for the applicant, who submitted that as far as the cause of death of the deceased is concerned, which is due to Hemorrhagic Shock due to head injury, which is not attributed to the present applicant, it is attributed to the other co-accused. Now, the investigation is already completed, charge-sheet is already filed, and further incarceration of the present applicant is not required. In view of that, he be released on bail.

4. Learned APP and learned counsel for the complainant strongly opposed the said application and submitted that, in furtherance of the common intention, the deceased was assaulted by the present applicant and the other co-accused, in view of that, the application deserves to be rejected.

5. On hearing both sides and on perusal of the investigation papers, it reveals that the alleged incident has occurred on 17/01/2025, as far as the allegation of the assault is concerned, which is against the co-accused Sopan Sadashiv Mirge i.e. the son of the present applicant. As far as the present applicant is concerned, neither the informant nor the eyewitnesses have

attributed the role in the assault. Now the investigation is already completed and charge-sheet is already filed, in view of that, the application deserves to be allowed. Accordingly, I proceed to pass the following order.

**ORDER**

- a] Criminal application is **allowed**.
- b] The applicant – ***Sadashiv Onkar Mirge***, shall be released on bail in connection with Crime No. 17/2025 registered with Police Station Jalamb Tah. Shegaon, District Buldhana, for the offence punishable under Sections 103(1), 109, 118(1), 352, 351(2), 351(3), and 3(5) of the Bhartiya Nyaya Sanhita, 2023, on executing P.R. Bond of Rs. 25,000/- with one solvent surety in the like amount.
- c] The applicant shall not enter into the vicinity of village Bhashthan, Tah. Shegaon, District Buldhana till culmination of the trial.
- d] The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.
- e] The applicant shall attend the proceedings before the sessions Court without seeking

any exemption unless there are exceptional circumstances

Criminal Application is **disposed of**.

[URMILA JOSHI-PHALKE, J.]