



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

CRIMINAL APPLICATION (BA) NO. 190/2025

Aslam Ansari s/o. Maksud Ansari Vs. State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. R. K. Tiwari, Advocate for the Applicant.
Mr. C. A. Lokhande, A.P.P. for the Non-applicant(s)/State.

CORAM : MRS.VRUSHALI V. JOSHI,J.

DATED : 25/09/2025.

. Heard.

2. The applicant is arrested in Crime No.326/2024 registered at Police Station Yashodhara Nagar, District Nagpur for the offence punishable under Section 302 read with Section 34 of the Indian Penal Code.

3. The case of the prosecution is that the police informed the complainant about lying of one injured person near Fardin Celebration Lawn, they went there, the injured person narrated his name and thereafter, he was taken to the MAYO hospital. From MAYO Hospital, he was shifted to Government Hospital. It is the further case of the prosecution that the deceased has disclosed the name of the applicant along with other co-accused to his sister that they assaulted him and she informed it to her father and he has given the said complaint and the crime is registered.

4. During investigation, in the CCTV footage, three persons assaulting the deceased were shown and the said persons were identified.

5. The learned Counsel for the applicant has stated that at the time of taking the deceased to hospital, he was unconscious. What was the stage of his health was

not disclosed. Sister of the deceased identified the Guddu to be one of the assailant but whether the applicant is the same person, for that confirmation, the test identification is required, which is not conducted. The applicant is not the same person. No *prima facie* case is made out against this applicant, hence, prayed to release him on bail.

6. The learned A.P.P. opposed the application stating that the CCTV footage clearly shows the presence of the applicant at the spot of the incident. There are 35 stab injuries. The deceased was brutally murdered. As the presence of the applicant is there and the applicant has not disclosed earlier three offences at the time of filing of the application so also he was absconding for four months, prayed to reject the application.

7. Heard both the learned Counsel for the parties.

8. The offence under Section 302 of the Indian Penal Code is registered against this applicant. The presence of this applicant is disclosed through the statement made by the deceased and it is confirmed from the CCTV footage. The applicant was absconding for four months. Considering the *prima facie* involvement of the applicant in this crime, the case is not made out to release the applicant on bail.

9. Hence, the application is rejected.

(MRS. VRUSHALI V. JOSHI, J.)