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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (BA) NO.581 OF 2025

(Saikiran s/o Ramesh Chilmulwar Vs. State of Maharashtra)

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

Court's or Judge's Order

Mr. N.R. Bhishikar, Advocate for the applicant.
Mr. A. Madiwale, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- AUGUST 05, 2025.

By this application, the applicant is seeking bail as he came to be arrested on 23.12.2024 in connection with Crime No.679/2024 registered with Police Station Rajura, District Chandrapur for the offences punishable under Sections 309(4) and 140(2) of the Bharatiya Nyaya Sanhita, 2023.

2. The crime is registered on the basis of report lodged by Atul Deorao Gore on an allegation that on 03.11.2024 when he was proceeding on his motor-cycle one unknown person asked him for lift, therefore, he took him on his vehicle. The said person had demanded mobile phone of the complainant and has communicated with somebody on his mobile phone in Telugu and Hindi language and thereafter that person has not returned his mobile phone and withdrawn the amount of Rs.16,000/- from the complainant's account. On the basis of the said report, police have registered the crime against the present applicant.

3. Learned Counsel for the applicant submitted that merely on suspicion the present applicant is arrested. There is no TI parade held by the investigating agency. As far as the further incarceration is concerned which is not required as the investigation is already completed. In view of that, the applicant be released on bail.

4. Learned APP strongly opposed the application and submitted that the mobile phone of the informant is seized from the present applicant. There are criminal antecedents against the present applicant. In view of that, if he is released on bail there is every possibility of involvement in the similar type of the offence. In view of that, the application deserves to be rejected.

5. On hearing both the sides and on perusal of the investigation papers there is no dispute as to the fact that the mobile phone of the informant was seized from the present applicant but as far as the identification is concerned the Identification Parade was not held by the investigating agency. Now, investigation is completed and charge-sheet is filed, further incarceration of the applicant is not required. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass the following order:

(i) The application is allowed.

(ii) The applicant – Saikiran s/o Ramesh Chilmulwar in connection with Crime

No.679/2024 registered with Police Station Rajura, District Chandrapur for the offences punishable under Sections 309(4) and 140(2) of the Bharatiya Nyaya Sanhita, 2023, be released on bail on executing P.R. bond of Rs.25,000/- with one solvent surety in the like amount.

(iii) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case in any manner either personally or by way of electronic media.

(iv) The applicant shall attend the proceedings before the trial Court without seeking any exemption unless there are exceptional circumstances.

(v) The applicant shall not indulge himself in similar type of the activities. A single registration of the offence would lead to the cancellation of bail.

6. The contravention of any of the condition imposed by this Court, would lead to the cancellation of bail.

7. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)