



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

CRIMINAL APPLICATION (BA) NO.626 OF 2025

Animesh s/o Arvind Sarkar
Vs.

State of Maharashtra, through Police Station Officer, Police Station, Ashti,
District Gadchiroli

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

Court's or Judge's orders

Mr. V. N. Morande, Counsel for the applicant.
Mr. Ganesh Umale, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 01/07/2025

1. Present application is preferred by the applicant for grant of bail in connection with Crime No.219/2024 registered with Police Station Ashti, District Gadchiroli for the offence punishable under Sections 105, 125(b), 238 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and 135 of the Indian Electricity Act.

2. The crime is registered on the basis of report lodged by Bhagyashri Jagtap on an allegation that on 23.12.2024 at about 6.00 p.m. the nephew of the informant took the motorcycle of his father and went to the village but he did not return back. They searched everywhere. On 24.12.2024 at about 10.00 a.m. his dead body was found in the Vasantpur Forest and the reason for the death is that of electric

shock. On the basis of the said report, police have initially registered Marg report. During investigation, it revealed that the present applicant was present along with the deceased and they have shifted the dead body. On the basis of the said report, police have registered the crime against the present applicant. It is alleged that the present applicant has received the phone call from the other co-accused and who has called him to shift the dead body. On the basis of the said allegation, the applicant is arraigned as an accused.

3. Heard learned Counsel for the applicant, who submitted that admittedly the deceased died due to the electric shock. Only allegation against the present applicant is that he was called to shift the dead body. Now the investigation is completed and charge-sheet is filed. Considering the nature of the offence, the applicant has made out a case for grant of bail.

4. Learned APP strongly opposed the said application on the ground that the involvement of the present applicant revealed.

5. On hearing both sides and on perusal of the investigation papers, it reveals that only role attributed to the present applicant that he was called to shift the dead body, except that there is no other allegations. In view of that the application deserves

to be allowed. Accordingly, I proceed to pass following order:

ORDER

- (i) The application is allowed.
- (ii) The applicant **Animesh s/o Arvind Sarkar** shall be released on bail in connection with Crime No.219/2024 registered with Police Station Ashti, District Gadchiroli for the offence punishable under Sections 105, 125(b), 238 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and 135 of the Indian Electricity Act, on executing PR bond in the sum of Rs.25,000/- with one solvent surety in the like amount.
- (iii) The applicant shall attend the proceeding before the Sessions Court without seeking any exemption unless there are exceptional circumstances.
- (iv) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.
- (v) The applicant shall not enter into the village Vasantpur, till the culmination of trial.

The application is disposed of.

(URMILA JOSHI-PHALKE, J.)