



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

**CRIMINAL APPLICATION(BA) NO. 856 OF 2025**

**Gajanan Mukunda Dane Vs. State of Maharashtra**

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Office notes, Office Memoranda of  
Coram, appearances, Court's orders  
or directions and Registrar's orders.

Court's or Judge's Orders.  
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Mr. S.V. Sirpurkar, counsel for the applicant.  
Mr. Vinod Thakare, APP for the State.  
Mr. Chetan R. Sharma, counsel to assist the prosecution.

**CORAM : MRS. VRUSHALI V. JOSHI, J.**

**DATE : 15/12/2025**

1. The applicant is arrested in connection with Crime No.17 of 2025 for offence punishable under sections 103(1), 109, 118(1), 352, 351(2), 351(3), 49, 238 r/w 3(5) of Bharatiya Nyaya Sanhita, 2023.

2. It is alleged that there was a dispute about the apportionment of compensation amount between the complainant's family and the accused persons. On 17.01.2025 at about 12 noon the complainant went to the weekly market at Matargaon(Bj). There, at about 1.30 p.m. he came to know that his son Shatrughn Mirge has been assaulted by his nephew Sopan Mirge near Brahmanfuli square and he is lying there in injured condition. The allegations made against this applicant are that he has assaulted wife of Shatrughna and also sister

with iron rod. The learned counsel for the applicant has stated that the applicant is the husband of Monali, who is one of the eye witness. There was divorce before the incident. On the day of the incident, the applicant was not present there. Only because, there was enmity his name is implicated. The name of this applicant was not mentioned in FIR. Eye witness has disclosed the name of this applicant after five days, when the statement was recorded. Both the eye witnesses have stated that this applicant has assaulted with iron rod on the hand. Considering the role of this applicant, prayed to release the applicant on bail.

3. The learned APP has opposed the application stating that the eye witnesses have mentioned the specific role of this applicant, the common intention was there. Brutal murder was committed by throwing chili powder in the eyes of the deceased, the witnesses were there and they were also assaulted. Considering the gravity of offence, prayed to reject the application. The complainant, who is present through the learned counsel to assist the prosecution, has also stated that his specific role is mentioned by the eye witnesses his presence was there. He has assaulted. Hence prayed to reject the application.

4. Heard both the sides and perused the record.

5. The allegations against this applicant are that he had assaulted those two ladies, who were present on the spot. The eye witnesses have not mentioned that this applicant has assaulted the deceased. The role of the applicant is assault by iron rod on the hand of both the eye witnesses. Considering the role of this applicant and as the name of this applicant is mentioned by eye witness after six days, the case is made out to release the applicant on bail. Hence, the following order.

i) The Criminal application is allowed.

ii) Applicant – Gajanan Mukunda Dane, be released on bail in connection with Crime No.17 of 2025 for offence punishable under sections 103(1), 109, 118(1), 352, 351(2), 351(3), 49, 238 r/w 3(5) of Bharatiya Nyaya Sanhita, 2023, he be released on bail on his furnishing PR. Bond in the sum of Rs.50,000/- (Rupees Fifty Thousand only) with solvent surety in the like amount before the trial Court.

iii] The applicant shall not in any way tamper with the prosecution evidence.

iv] The applicant shall not pressurize or threaten the prosecution witnesses.

v] The applicant shall co-operate the learned trial judge in the conduct of the trial.

6. The Criminal Application stands disposed of accordingly.

7. Pending application/s if any is/are stand/s disposed of.

**JUDGE**