



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

CRIMINAL APPLICATION (BA) NO. 935/2025

Vasanta s/o. Natthuji Mungbhate

Vs.

The State of Maharashtra

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

Court's or Judge's order

.....
Mr. A. S. Mardikar, Advocate for Applicant.

Ms M. A. Barabde, A.P.P. for Non-applicant/State.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATED : 10.09.2025

1. Heard.

2. The applicant is arrested in connection with Crime No.579/2024, registered with Police Station, Warud, District Amravati for the offences punishable under Section 103(1) of the Bharatiya Nyaya Sanhita, 2023.

3. It is the case of the prosecution that brother of the deceased has lodged the complaint that on receipt of phone call from his sister about his sister/deceased that she is lying in injured condition in her house. He went there and found that his sister was lying on pool of blood. They took her to hospital and doctor declared her dead. On the complaint of the first informant, the crime is registered.

4. It is alleged that the applicant who was working with the deceased used to come to her house intermittently and since last one month he was staying with her. There was quarrel between both of them since last fifteen days. On the date of incident, at night, the son of the deceased informed

about the assault and he has mentioned the name of this applicant that he assaulted his mother with knife. Knife was also lying there.

5. The learned Counsel for the applicant has stated that on the basis of the statement of the son, who is minor, the crime is registered against this applicant. Whatever he has stated about stab injuries, the postmortem report is not supporting as there is no any stab injury. The statement of minor is recorded in the presence of the first informant. Therefore, there is every possibility of tutoring, therefore, his statement is not reliable. The false story is built up by the first informant and involved this applicant. Hence, prayed to release the applicant on bail as since last nine months, he is in jail.

6. The learned A.P.P. has opposed the application stating that the eye witness is there. The postmortem report shows that she died due to said injuries. The involvement of this applicant is there. Hence, prayed to reject the application.

7. Heard both the learned Counsel for the respective parties.

8. The offence under Section 103(1) of the Bharatiya Nyaya Sanhita, 2023 is registered against the applicant. The eye witness, who is the minor child has informed about the assault by the applicant. Only because the minor witness has stated about stab injuries and the postmortem report shows that there were lacerated wounds, the presence of the applicant cannot be suspected.

9. Considering the circumstances, this is not a fit case to release the applicant on bail. Hence, the application is rejected.

(MRS.VRUSHALI V. JOSHI, J.)