



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

CRIMINAL APPLICATION (BA) NO. 1183/2025

Shri Suraj s/o. Dadaso Zende Vs. The 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. S. A. Dutonde, Advocate for the Applicant.
Mr. V. A. Thakare, A.P.P. for the Non-applicant/State.

CORAM : MRS.VRUSHALI V. JOSHI,J.

DATED : 18/12/2025.

. Heard.

2. The applicant is arrested in Crime No.204/2024 for the offences punishable under Sections 364, 365, 120-B, 302 read with Section 34 of the Indian Penal Code.

3. It is the case of the prosecution that murder of one Maharaj was committed, who was involved in activity like Money Rain. It is alleged that accused No.1 Amol Rajput has given the contract to the other accused persons to kill said Maharaj by taking him towards Shirdi. The allegations are made that 10 to 15 persons took said Maharaj in vehicle. They beat with wooden stick and after his death, they threw the body on the way. Thereafter, missing complaint was lodged. The body was found and, thereafter, the crime is revealed.

4. The learned Counsel for the applicant has stated that the applicant is the owner of the said vehicle which was used in said crime. The applicant was not known to the accused persons. His vehicle was hired as he used to give his vehicle on hire. The applicant was driving the vehicle. It is alleged that, the body was kept in the vehicle of this applicant. As the other co-accused

pressurized him and threatened him, he had not stated anything and he was with them during that period. The applicant has stated that his name is mentioned by the co-accused when the co-accused was in custody. The co-accused were also not knowing the name of this applicant, they have mentioned the unknown driver and, thereafter, the name is disclosed. The name of this applicant is disclosed by the co-accused, which is inadmissible. Moreover, he has not taken any active part in commission of the said offence. The bail of the Accused No. 4 - Bhushan was rejected by this Court. He is released on bail by the Hon'ble Apex Court considering his role. As this applicant has not played any active role in this case, prayed to release him on bail.

5. Learned A.P.P. opposed the application stating that the active involvement of this applicant is there. The deceased was taken from the vehicle of this applicant. He was driving the vehicle and the body was thrown from said vehicle. He has not given any report or informed to the police though the missing report was lodged and considering the active participation of the applicant in the said offence, prayed to reject the application.

6. Heard the learned Counsel for the applicant and the learned A.P.P. for the State.

7. This is a case of the contract murder. There are eye witnesses. The statement of co-accused are recorded and from the statement of co-accused, the crime is disclosed. The name of this applicant was disclosed during investigation. The role of this applicant if considered, he was driving the vehicle. As per the statement made by the

learned Counsel for the applicant, he was threatened and he was not aware what is going on and, therefore, he had driven the vehicle as per the say of the co-accused. Considering the role played by this applicant and as it is stated that he was forced to drive the vehicle and the fact that the co-accused Bhushan is already released by the Hon'ble Apex Court, the case is made out to release the applicant on bail. Accordingly, I proceed to pass the following order :

- i] The criminal application is allowed.
- ii] The applicant shall be released on bail in connection with Crime No.204/2024 for the offences punishable under Sections 364, 365, 120-B, 302 read with Section 34 of the Indian Penal Code, on furnishing P.R. Bond of Rs.25,000/- with one solvent surety in the like amount.
- 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 attend the concerned police station on every Monday and Saturday between 1:00 p.m. to 2:00 p.m.
- vi] The applicant shall co-operate the investigation officer.

The Criminal application is disposed of accordingly.

(MRS. VRUSHALI V. JOSHI, J.)

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