



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

CRIMINAL APPLICATION (BA) NO. 774 OF 2025

(Manoj Desi Pendam & Ors.

Vs.

State of Maharashtra, Thr. Police Station Officer Rajaram (K), District
Gadchiroli)

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. A.R. Fule, Advocate for the Applicants.

Mr. Aditya Gohokar, APP for the Non-applicant/State.

CORAM: URMILA JOSHI-PHALKE, J.

DATED : 29th JULY, 2025

1. By this Application, the Applicants are seeking bail in connection with Crime No. 1/2025 registered with Police Station Rajaram(K), District Gadchiroli for the offence punishable under Sections 103(1), 103(2) r/w Section 61 of the Bhartiya Nyaya Sanhita, 2023.

2. Heard learned Counsel for the Applicants, who submitted that the crime is registered on the basis of the report lodged by the Complainant Lakhan Talandi on an allegation that his father namely Chinnu Talandi, had left home on 30.01.2025 for attending a religious function regarding last rites of wife of one Sampad Sidam at Village Khandla. However, he has not returned back. After some time he has received an information that his father is lying near the bridge in an injured condition. He immediately rushed to the spot and found his father in an injured condition and thereafter he lodged the report against the unknown person.

During investigation the present Applicants are arrested merely on the basis of the statement of one Suryakant who has disclosed that the present Applicants were seen near the spot of incident chit chatting with each other. He submitted that, except the said statement there is no other material to connect the present Applicants with the alleged offence. Now, investigation is already completed and charge-sheet is already filed, further incarceration of the present Applicants are not required.

3. Learned APP, strongly opposed the said application, however, he fairly submitted that except the statement of said Suryakant there is no other material to connect the present Applicants. As far as the blood stained clothes are concerned, which are seized from the co-accused and not the present Applicants.

4. On hearing both the sides and on perusal of the investigation papers, admittedly except the statement of one Suryakant and the statement of the Informant, there is no other material to connect the present Applicants with the alleged offence. Admittedly, witness Suryakant or the Informant are not the eye witnesses of the said incident. Merely, because they were seen near the spot of incident chit chatting with each other, they are arraigned as an accused. Considering the nature of the investigation which is carried out against the present Applicants, they have made out the case for grant of bail. Accordingly, I proceed to pass the following order.

ORDER

- i. The Application is **allowed**.
 - ii. The Applicant No.1– Manoj Desi Pendam, Applicant No.2– Raoji Bajirao Gawande and Applicant No.3– Vijay Samma Madavi in connection with Crime No.1/2025 registered with Police Station Rajaram(K), District Gadchiroli for the offence punishable under Sections 103(1), 103(2) r/w Section 61 of the Bhartiya Nyaya Sanhita, 2023, be released on bail, on executing P.R. Bond in the sum of Rs.25,000/- each with one solvent surety in the like amount.
 - iii. The Applicants shall not induce, threat or promise any witnesses who are acquainted with the facts of the case either personally or by way of electronic media.
 - iv. The Applicants shall not enter into the vicinity of Village Chirepalli, Tah. Aheri, District Gadchiroli till the culmination of the trial.
 - v. The Applicants shall attend the proceedings before the Trial Court without seeking any exemption unless there are exceptional circumstances.
5. Pending application/s, if any, shall stand disposed of accordingly.

(URMILA JOSHI-PHALKE, J.)