



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

CRIMINAL APPLICATION (BA) NO.927/2025

(Nikhil Rajaram Shelote Vs. 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. Atharva Khadse, Advocate for the applicant.
Mr. Ujwal Phasate, A.P.P. for non-applicant/State.

CORAM: MRS.VRUSHALI V. JOSHI, J.

DATED: 11.9.2025.

Heard.

2. The applicant has filed this application for grant of regular bail.
3. The applicant is arrested in Crime No.0794/2024 registered for the offence punishable under Sections 3(5), 109, 309(6), 333, 351(2) and 352 of the Bhartiya Nyaya Sanhita and Sections 4/25 of the Arms Act.
4. The prosecution case is that on 4.8.2024 at about 7.15 p.m. when the informant was in shop, he heard shouts from the shop of his cousin brother Ganesh. He rushed in said shop and observed that his cousin brother Ganesh was lying down in front of his shop and three unknown persons were beating him and forcibly trying to snatch the golden ring from the finger of his brother. They asked him to give said ring. One of the assailants was having sword in his hand. When the informant intervened, the person holding sword attempted to kill him by assaulting him with same weapon but somehow he saved himself. The accused persons assaulted and robbed his brother to cause terror.
5. The first informant has lodged the report and the crime is registered.

6. The learned Advocate for the applicant has stated that the applicant entered the shop for purchasing something. There was an altercation between the Shopkeeper and the quarrel took place. The role attributed to this applicant is that he has assaulted the injured with fist blows.

7. The learned Advocate for the applicant has pointed out from the medical report that though the weapon sword is mentioned in the F.I.R., in medical history, the rod is mentioned by the injured. The applicant is 19 years of age. He is in jail since one and half years. He is with hardened criminal which is not good for his future. Hence, prayed to release the applicant on bail.

8. Learned A.P.P. opposed the application stating that robbery is there. The applicant is not denying his presence. As per Section 309(6) of B.N.S. if the presence is admitted, the offence is punishable for life or rigorous imprisonment for 10 years.

9. As there is recovery from this applicant i.e. vehicle which was used in the offence, the part of the amount is also recovered from this applicant and the role played by this applicant, he has prayed to reject the application.

10. Heard both sides and perused the record.

11. The applicant is one of the accused. The applicant has not denied his presence in said incident. He has also stated that role attributed to him is assault by fist and blows. He has not used any weapon and since one and half years he is in jail.

12. Considering the tender age of the applicant, role attributed to him and as the injured is discharged immediately on same day, case is made out to release the applicant on bail.

13. Accordingly, I pass the following order:-

- i) Criminal application is allowed.
- ii) Applicant Nikhil Rajaram Shelote be released on bail in Crime No.0794/2024, registered with Police Station Yavatmal City, District Yavatmal for the offence punishable under Sections 3(5), 109, 309(6), 333, 351(2) and 352 of the Bhartiya Nyaya Sanhita and Sections 4/25 of the Arms Act, on his furnishing P.R. Bond in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand only) with one 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 co-operate the Investigation officer.
- vi) The applicant is directed not to enter village Pimpalgaon where the incident took place till the completion of the trial.

(MRS. VRUSHALI V. JOSHI, J.)