



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

CRIMINAL APPLICATION (BA) NO.978/2025

(Manav S/o Dhanraj Jumnake 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. A.M. Jaltare, Advocate for the applicant.

Mr. Ujjawal Phasate, A.P.P. for the non-applicant/State.

CORAM: MRS.VRUSHALI V. JOSHI, J.

DATED: 4.12.2025.

The applicant is arrested in Crime No.215/2025 for the offence punishable under Sections 103(1) and 3(5) of the Bharatiya Nyaya Sanhita.

2. It is the case of prosecution that on 8.2.2025 at around 23:00 Hrs. when the deceased Himanshu along with his two friends Vyom Kshirsagar and Pratik Panchabhai went to village Pimpalgaon on scooty and they were searching the applicant, the deceased and his friends had been to the house of applicant to settle one old dispute which took place before one and half month ago when friend of deceased Kunal Meshram and Umesh Devkar shared story on Instagram by putting photo of the applicant and the deceased for Voting Battle to which the deceased had objected. An oral altercation took place between the applicant and the deceased and to settle the dispute he had been to the house of applicant. When deceased was at the house of applicant they started abusing each other in respect of said Instagram story. At that time, brother of applicant Aniket came on the spot and quarrel took place between the deceased and Aniket. When quarrel started Aniket was going to the applicant to intervene, at that time, he took out knife from his pocket, said knife fell down on

the ground which was picked up by Aniket and then he assaulted the deceased with knife on his chest and neck. The deceased sustained severe injury on his neck and fell down on the ground. Thereafter friend of deceased Vyom Kshirsagar informed this fact to the mother of the deceased and she has lodged the complaint.

3. The learned Advocate for the applicant has stated that there are statement of the eye witnesses from which it appears that though the applicant had knife he has not assaulted the deceased or the injured. The assault was by Aniket. There was dispute between both the groups and the assault was by Aniket and not by this applicant. As he has not committed any offence, none of the witnesses have stated about his act of assault. Hence, prayed to release the applicant on bail.

4. The learned A.P.P. opposed the application stating that the applicant was having knife. The knife was recovered at the instance of this applicant. The intention was there to commit the murder. The applicant came with knife and though assault was by Aniket the intention of both the applicants was there to commit the murder. Hence this is not a case to release the applicant on bail. Hence, prayed to reject the application.

5. Heard both sides and perused the record.

6. It appears from the record that this is case of direct evidence. The witnesses have mentioned the role played by both the accused persons. There was dispute between the friends. Himanshu-the deceased came to the house of the applicant to settle the dispute. When quarrel took place deceased and his friends tried to assault Aniket. The applicant took knife. Role of this applicant is that he was having knife with him. On perusal of the statement of the eye

witnesses it appears that the applicant had not assaulted or stabbed the injured or the cause of death is not because of the assault by this applicant. Considering the role of the applicant, case is made out to release the applicant on bail.

i) Applicant - Manav S/o Dhanraj Jumlake be released on bail in Crime No.215/2025 for the offence punishable under Sections 103(1) and 3(5) of the Bharatiya Nyaya Sanhita, on furnishing P.R. Bond in the sum of Rs.50,000/- (Rupees Fifty Thousand only) with solvent surety in the like amount before the trial Court.

ii) The applicant shall not in any way tamper with the prosecution evidence.

iii) The applicant shall not pressurize or threaten the prosecution witnesses.

iv) The applicant shall co-operate with the learned trial Judge in the conduct of the trial.

7. The Criminal Application stands disposed of accordingly.

(MRS.VRUSHALI V.JOSHI, J.)