



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

CRIMINAL APPLICATION (BA) 982/2025

(Muluk @ Shwetamaber S/o Duryodhan Meshram Vs. State of Maharashtra, through Police Station Officer, GRPF
 Railway, Nagpur)

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

Court's or Judge's orders

Mr. C.B. Barve, Advocate with Mr. Shubham M. Rakshit, Advocate for the applicant.

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

CORAM: MRS.VRUSHALI V. JOSHI, J.

DATED: 7.10.2025.

The applicant is arrested in Crime No.345/2025 for the offence punishable under Section 105 of the Bharatiya Nyaya Sanhita.

2. It is alleged that on 27.7.2025 the scuffle took place between the applicant and the deceased. The deceased fell down and sustained head injury which was bleeding. The applicant asked the Auto-Rickshaw Driver to take the deceased to Meyo Hospital. When the Auto-Rickshaw Driver was taking the deceased to Hospital, he fell down on foot path. The Auto-Rickshaw Driver informed it to the brother of the deceased and they took him to hospital. There Doctor declared him brought dead. The crime is registered against this applicant.

3. The learned Advocate for the applicant has stated that there was no premeditation hence offence under Section 105 of the B.N.S. will not be attracted. The applicant himself tried to save the deceased and thereafter he fell down on the foot-path. The cause of death is heady injury. Considering the nature of offence, prayed to release the applicant on bail.

4. The learned A.P.P. opposed the application stating that there are 9 injuries on the person of the deceased. The scuffle took place between the applicant and deceased and as investigation is in progress, prayed to reject the application.

5. The applicant himself tried to save the deceased by calling the Auto-Rickshaw Driver and told him to take deceased to the hospital. Thereafter deceased again fell down on foot-path. Possibility cannot be ruled out that the deceased when fell down might have sustained the injuries, including head injury. Considering the nature of the offence and conduct of the applicant, case is made out to release the applicant on bail. Hence the application is allowed.

i) Applicant- Muluk @ Shwetamaber S/o Duryodhan Meshram be released on bail in Crime No.345/2025 for the offence punishable under Section 105 of the Bharatiya Nyaya Sanhita, on his furnishing P.R. Bond in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand only) with one solvent surety in the like amount.

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 Investigating Officer.

(MRS.VRUSHALI V.JOSHI, J.)