



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

CRIMINAL APPLICATION (BA) NO.1057/2025

(Kajal W/o Kunal Raut Vs. State of Maharashtra, through PS.O., PS. Dhantoli, Nagpur)

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

Court's or Judge's orders

Mr. Uday. Dable, Advocate for the applicant.
Mr. A.J. Gohokar, A.PP for the non-applicant/State.

CORAM: MRS.VRUSHALI V. JOSHI, J.

DATED: 10.10.2025.

The applicant is arrested in Crime No.18/2025 for the offence punishable under Sections 103(1), 125(b), 115(2) and 3(5) of the Bharatiya Nyaya Sanhita and Section 125 of the Maharashtra Police Act.

2. The prosecution case, in nutshell, is that the complainant Himanshu Naynekar was sitting at Takia Ground along with his mother, younger brother and elder brother Karan @ Lucky on 14.1.2025 at about 9.30 p.m. The deceased went for walking after having dinner and did not return, therefore, complainant went to see him. At about 11 p.m. he saw deceased near Indian Gymkahna. He found Karan @ Lucky talking with Yogesh Kove in Takia Ground. Karan @ Lucky told him that after sometime he will come back to house. Thereafter he heard noise of quarrel between his brother Kran @ Lucky and Yogesh Kove. He along with his friend Dadu Yadav went there and tried to pacify the quarrel. At that time, Yogesh Kove pushed them. In the meantime, applicant came there along with other accused. Kunal took out knife and gave its blow on the stomach and chest of the deceased. Yogesh and Rupesh were assaulting the

deceased by kick and legs. Applicant also assaulted the deceased by brick. The deceased was lying in the pool of blood. Thereafter they took him to Police Station and lodged the complaint.

3. The learned Advocate for the applicant has stated that CCTV Footage shows that the applicant was present there with her two years son. No overt act is attributed to her by any of the witnesses. There are eye-witnesses in this case but none of them have stated about any assault or pelting of brick by the applicant. The CCTV Footage shows that she was present and she left the spot. Since January she is in jail. Accused No.1 is husband of this applicant. As only her presence was on the spot, the crime is registered and the name of this applicant is mentioned along with her husband. Complainant has given statement and in it he has motioned the name of this applicant. As no role is attributed to this applicant, prayed to release the applicant on bail.

4. Learned A.P.P. opposed the application stating that specific role is attributed to this applicant by the complainant and in his statement he has also stated about the assault by brick. There are many eye-witnesses. The offence is of murder. Considering the gravity of the offence, prayed to reject the application.

5. Heard both sides and perused the record.

6. The applicant, who is a lady, was present along with her son on the spot which is evident from the CCTV Footage. Though the eye-witnesses are there, they have not mentioned any role played by this applicant and the CCTV Footage does not disclose any role played by this applicant. Considering the circumstances, case is made out to release the applicant on bail.

- i) Applicant- Kajal W/o Kunal Raut be released on bail Crime No.18/2025 for the offence punishable under Sections 103(1), 125(b), 115(2) and 3(5) of the Bharatiya Nyaya Sanhita and Section 125 of the Maharashtra Police Act, on 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.
- v) The applicant shall co-operate the with the Investigating Officer.

(MRS.VRUSHALI V.JOSHI, J.)