



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR
CRIMINAL APPLICATION (BA) NO.1060/2025

(Akshay S/o Dipak Awale Vs. State of Maharashtra, through Police Station Officer, Police Station, Imamwada, Nagpur)

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

Court's or Judge's orders

Mr. U.P. Dable with Mr. S.U. Dable, Advocates for the applicant.

Mr. N.R. Rode, A.P.P. for the non-applicant/State.

CORAM: MRS.VRUSHALI V. JOSHI, J.

DATED: 19.12.2025.

The applicant is arrested in Crime No.118/2025 for the offence punishable under Sections 103(1) and 3(5) of B.N.S., Sections 4 and 25 of the Arms Act and Section 135 of the Maharashtra Police Act.

2. The prosecution case is that one Nilesh Meshram and Jocky @ Ishwar Somkuwar committed the murder of the father of the first informant and this applicant helped both of them for fleeing away from the spot. The applicant along with said two accused persons was arrested. The applicant is the Auto Driver and his auto was used in said crime and it is seized.

3. The learned Advocate for the applicant has stated that the allegations about committing murder are not against this applicant. Eye witnesses are there and nobody has mentioned the name of this applicant. In the F.I.R. name of this applicant is not there. He was arrested along with other two accused persons. Only because the accused persons gave threats and sat in the auto rickshaw of this applicant and the knife concealed in auto rickshaw of the applicant is recovered, he is arrested and since then he is in jail.

4. Learned A.P.P. opposed the application stating that the applicant helped the accused persons for fleeing away from the spot. Role is mentioned by the witnesses. Knife was recovered from the auto

rickshaw of this applicant which is seized. Hence, prayed to reject the application.

5. Heard both sides and perused the record.

6. Name of this applicant is not mentioned in F.I.R. Role of this applicant is of helping the accused persons for fleeing away from the spot after the commission of murder. It is also not reflected from the statement of witnesses that the applicant was known to the accused persons. Considering the role played by this applicant, case is made out to release the applicant on bail.

i) Applicant - Akshay S/o Dipak Awale be released on bail in Crime No.118/2025 for the offence punishable under Sections 103(1) and 3(5) of B.N.S., Sections 4 and 25 of the Arms Act and Section 135 of the Maharashtra Police Act, on furnishing PR. Bond in the sum of Rs.50,000/- (Rupees Fifty Thousand only) with one 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.)