



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

CRIMINAL APPLICATION (BA) NO.1234/2025

(Arvind S/o Ramdas Mase Vs. State of Maharashtra, though P.S.O. P.S. Korpana, District Chandrapur)

CRIMINAL APPLICATION (BA) NO.1238/2025

(Arun Narayan Nawale Vs. State of Maharashtra, though P.S.O. P.S. Korpana, District Chandrapur)

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

Court's or Judge's orders

Mr. R.M. Daga, Advocate for the applicant.
Mr. Anant Ghogare, A.P.P for the non-applicant/State.

Mr. R.M. Daga, Advocate for the applicant.
Mr. V.A. Thakare, A.P.P for the non-applicant/State.

CORAM: MRS.VRUSHALI V. JOSHI, J.
DATED: 4.12.2025.

The applicants are arrested in Crime No.110/2025 for the offence punishable under Sections 103(1), 118(2), 189(1)(2), 190, 191, 191(2), 351(2) and 352 of the Bharatiya Nyaya Sanhita.

2. The case of the prosecution is that the applicants were having dispute as regards to farm land with deceased and his family. On 11.6.2025 the applicants along with other co-accused abused and assaulted the complainant, his brother and father by means of fists, blows and sticks on his head, legs and shoulder. They sustained several injuries. The complainant has lodged the complaints. After receipt of complaint the F.I.R. was registered for the offence under Sections 118(2), 189(1)(2), 190, 191, 191(2), 351(2) and 352 of B.N.S. During the treatment injured Pandurang Karekar died in General Hospital and the offence under Section 103(1) of B.N.S. is registered.

3. The learned Advocate for the applicants has stated that there are 4 witnesses. All of them have mentioned the role of these applicants that they have assaulted with sticks on leg and forearm and the other co-accused assaulted with ubari. Two accused are released on bail. Though role of these applicants of giving fists and blows and the cause of death is not because of the assault by these applicants, the trial Court has rejected their application and allowed application of other two co-accused only because their name is mentioned in the F.I.R. Considering role of these applicants, prayed to release the applicants on bail.

4. The learned A.P.P. opposed the application stating that there are 4 witnesses and role of these applicants is mentioned by each of them. Names of these applicants appears in F.I.R. The death of the deceased was not due to injuries caused by the assault. Hence, prayed to reject the application.

5. Heard both sides and perused the record.

6. This is a case of direct evidence. All the four witnesses have mentioned the role of these applicants that they assaulted by fists, blows and sticks. The injuries caused to the deceased by the assault by these applicants were on the forearm and legs which is not the cause of death. Considering the role played by these applicants, the further custody of these applicants is not required. Hence the following order is passed.

i) Applicant - Arvind S/o Ramdas Mase and Arun Narayan Nawale be released on bail in Crime No.110/2025 for the offence punishable under Sections 103(1), 118(2), 189(1)(2), 190, 191, 191(2), 351(2) and 352 of the Bharatiya Nyaya Sanhita, on furnishing P.R. Bond in

the sum of Rs.50,000/- (Rupees Fifty Thousand only) each with solvent surety in the like amount before the trial Court.

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

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

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

v) The applicants to attend the concerned police station once in a week till the filing of the charge sheet.

7. The Criminal Applications stand disposed of accordingly.

(MRS.VRUSHALI V.JOSHI, J.)