HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.3754 OF 2026

Sugriv Alias Suraj Choudhary Nishad .. Applicant

Versus

The State of Maharashtra .. Respondent

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- Mr. Himanshu Pratap Singh and Mr. Pratik P. Patil, Advocates i/by Mr. Kalyan Sonnefor Applicant.
- Ms. Sangeeta E. Phad, APP for Respondent.

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CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 05, 2026

P.C.:

1. Heard Mr. Singh, learned Advocate for Applicant and Ms. Phad, learned APP for Respondent.

2. This is an Application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking Bail in connection with C.R. No.201 of 2025 registered with Kharghar Police Station for offences punishable under Sections 103(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The Applicant is in custody. Applicant is arrested on 12.05.2025. The deceased-victim happens to be a close relative of the Applicant himself. Four or five persons, including the Applicant and the victim, all stayed together. On the uneventful day, they all converged in the room by running different errands.

4. It is *prima facie* seen that the deceased-victim wanted to borrow the scooter belonging to the Applicant and on insisting on being given the key of the scooter to him, which the Applicant refused this incensed the demised-victim which led to a verbal spat which went out of control, leading to a fistfight between them and in that episode, the Applicant has been accused of rather alleged to have inflicted three blows on the deceased-victim.

5. One version, copy of which is appended at page No.54, *prima facie* states that the Applicant had used a *fawada* i.e. a spade, which was lying nearby, whereas another version, copy of which is appended at page No.136 states that the person who recorded his statement in the First Information Record was infact running a different errand of fetching water and was not present when the actual incident took place.

6. Considering the fact that the incident was not premeditated, planned or conspired and happened at the spur of the moment and on the provocation of the deceased-victim himself which is *prima facie* seen from the statements recorded, I am inclined to accept the the case of the applicant for grant of bail.

7. Considering the aforesaid, Applicant is released on bail subject to following conditions:-

(i) Applicant - Sugriv Alias Suraj Choudhary Nishad is

directed to be immediately released from prison in connection with Crime No. 201 of 2025;

(ii) Applicant is directed to be released on bail on furnishing P.R. Bond of Rs. 15,000/- (Rs. Fifteen Thousand only) with one or two surety / sureties of the like amount;

(iii) Applicant shall report to the Investigating Officer at Kharghar Police Sttion, once every month on the first Monday of the month between 10:00 a.m. to 12:00 p.m.;

(iv) Applicant shall co-operate with the conduct of trial and attend the Trial Court on all dates, unless specifically exempted and will not take any unnecessary adjournments, if he does so it will entitle the prosecution to apply for revocation of this order;

(v) Applicant shall not leave the State of Maharashtra without prior permission of the Trial Court;

(vi) Applicant shall not influence any of the witnesses or tamper with the evidence in any manner;

(vii) Applicant shall keep the Investigating Officer informed of his current address and mobile contact number and / or change of residence or mobile details, if any, from time to time, as applicable; and

(viii) Any infraction of the conditions shall entail cancellation of bail granted to the Applicant.

8. It is clarified that the observations made in this order are limited for the purpose of granting Bail only and I have not made any observations on merits of the case. The trial shall be adjudicated on the strength of the evidence led and strictly on its own merits being uninfluenced with any of the *prima facie* observations made hereinabove in this order.

9. Bail Application is allowed and disposed of in the above terms.

H. H. SAWANT

[MILIND N. JADHAV, J.]

HARSHADA HANUMANT SAWANT

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