



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

CRIMINAL APPLICATION (BA) NO. 09/2026

(Prashant @ Bobby Gajanan Dhote Vs. State of Maharashtra)

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

Court's or Judge's orders

Mr. U. Dable, Advocate for applicant.
Ms. S. Haider, APP for non-applicant/State.

CORAM: M. M. NERLIKAR, J.
DATED : 20/02/2026.

Heard.

2. By this application, the applicant is seeking bail in connection with crime No.262/2024 registered with Police Station Ajni, Dist. Nagpur for the offence punishable under Sections 302, 143, 147, 148, 149, 120-B of the Indian Penal Code read with Sections 4. 25 of the Arms Act, Section 135 of the Bombay Police Act, Section 3(1)(ii), 3(2), 3(4) of the Maharashtra Control of Organised Crime Act, 1999 ("MCOC Act").

3. The prosecution story in short is that, the informant lodged a FIR that his son Amol (deceased) on 25.04.2024 informed his father that, he is going to meet his friend Mangesh. That, about 11.00 p.m. some boy from the colony informed the informant that near the house of Mangesh, some people are assaulting Amol, where the

informant reached the spot. He saw that, the accused persons were assaulting Amol by means of sword and knife. That the informant tried to intervene, however in vain. Therefore, all the assailants ran away from the spot. It is submitted that Amol was taken to the hospital, where he was declared dead. A friend of Amol informed the informant about the scuffle between Rajat and Amol over trivial issues two days before the incident. On the basis of the said allegations, First Information Report was registered against 4 accused persons for the offences punishable under the Indian Penal Code and Arms Act. After completion of investigation provisions of MCOC Act has been added against 12 accused persons.

4. The learned counsel appearing for the applicant submits that this Court has already released three accused persons from the present crime. The first order was passed by this court on 24.09.2025 in Criminal Application No.837/2025 in the case of Rajat @ Chiku @ Tinku Sidharth Ganvir Vs. State of Maharashtra. The second order was passed on 19.01.2026 in Criminal Application No. 1228/2025 in the case of Ritik S/o Raju Shelkar V/s State of Maharashtra. The third order was passed on

27.01.2026 in Criminal Application Number 1304/ 2025 in case of Aniket S/o. Diliprao Kale Vs. The State of Maharashtra. The learned counsel for the applicant submits that the applicant is also similarly placed. The role played by the present applicant is similar to all the accused persons, those who have been released by this Court from time to time. However, he submits that there are antecedents against the present applicant, therefore the applicant has filed an affidavit stating that he will not commit similar type of offence as of the present crime. Therefore, the learned counsel for applicant submits that the applicant be released on bail.

5. On the other hand, the learned APP vehemently opposes the application and submits that though this court has granted bail to other persons, however there are six serious crimes registered against the present applicant. She further submits that there is every likelihood that as soon as the applicant would come out of jail, he will again commit the crime, therefore she submits that the applicant does not deserve to be granted bail.

6. I have considered the rival submissions. Admittedly, this court has already granted bail to three accused persons by different orders as observed above. The role played by the applicant is also similar to the role played by those accused persons who have been released on bail. The only hurdle is the criminal antecedents against the applicant. Considering and accepting affidavit of the applicant that he will not commit similar offence, I am inclined to grant bail on parity, hence the following order:-

ORDER

- (i) Criminal application is allowed and disposed of.
- (ii) The applicant/accused Prashant @ Bobby Gajanan Dhote be released on bail in connection with crime No.262/2024 registered with Police Station Ajni, Dist. Nagpur for the offence punishable under Sections 302, 143, 147, 148, 149, 120-B of the Indian Penal Code read with Sections 4, 25 of the Arms Act, Section 135 of the Bombay Police Act, Section 3(1)(ii), 3(2), 3(4) of the MCOC Act on his furnishing P.R. Bond of Rs. 25,000/- with two sureties in the like amount.
- (iii) The accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also shall not tamper with the evidence.

(iv) The accused shall provide his residential address and cell number to concerned Police Station and shall not change his place of residence without prior intimation to the concerned Investigating Officer.

(v) The applicant/accused shall attend each and every date of trial regularly. If he fails to attend the trial for two consecutive dates or fails to comply with the aforesaid conditions, his default would entails the State to ask for cancellation of bail.

(vi) In case, the applicant breaches the undertaking which is given to this Court in the form of affidavit, it would tantamount to contempt action under the Contempt of Courts Act. Further, the State/prosecution is at liberty to apply for cancellation of bail, in case of violation of any of conditions of this order.

(M. M. NERLIKAR, J.)

Gohane