



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION [B.A.] NO. 38 OF 2026

Vikas @ Vicky Rajkumar Kohare

-- VERSUS --

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. Amol G. Hunge, Advocate for the Applicant.

Ms. P.C. Bawankule, A.P.P. for the Non-applicant/State.

CORAM : M.M. NERLIKAR, J.

DATE : FEBRUARY 05, 2026.

Heard.

2. The present application is filed seeking regular bail in Crime No.27/2024 for the offence punishable under Sections 302, 34, 120(B) of the Indian Penal Code, 1860, (IPC), and Section 135 of the Maharashtra Police Act, 1951, registered with Police Station Wathoda, District Nagpur.

3. The applicant is arraigned as accused in Crime No.27/2024. The said crime was registered on the report lodged by the complainant - Manish Chandrashekhar Mohite. After completion of investigation, charge-sheet has been filed and the case is registered as Sessions Case No.279/2024, pending before the learned Additional Sessions Judge, Nagpur. As per the prosecution case, deceased

Sunny Sarudkar had financial transactions with accused No.1 - Kiran Shende. On the night of 01/02/2024, the complainant along with deceased Sunny Sarudkar and deceased Krushnakant @ Kunnu Bhatt went to the house of accused No.1. It is alleged that accused No.1, accused No.2 and other persons assaulted both the deceased persons with wooden rafters and stones, resulting in their death due to head injuries.

4. The present applicant filed Criminal Application [B.A.] No.981/2025 before this Court and by an order dated 30/09/2025 this Court passed the following order:

“1. On instructions, the learned Counsel for the applicant seeks permission to withdraw the application with liberty to apply before the Trial Court as the C.A. report is filed.

2. Permission is granted.

3. The application stands disposed as withdrawn with liberty as prayed for.”

5. Applicant approached trial Court by filing application for grant of bail, as C.A. report is received. However, his application was rejected.

6. The learned counsel for the applicant submits that the fact that the clothes of the applicant seized by the Investigation Officer is not having any

blood stains as per the C.A. report. So far as the other incriminating circumstance is concerned, i.e., in the nature of CDR report, to this, the learned counsel appearing for the applicant submits that he is residing in the same vicinity, and therefore, the location of the present applicant would be natural at that place.

7. The C.A. report is placed on record. It appears that the clothes seized by the police machinery were sent for chemical analysis. The C.A. report is received, wherein it appears that, against the clothes of the applicant D2 and D3, i.e., appearing at Serial Nos. 15 and 16, following conclusion is reached - *"No blood is detected on exhibits (1), (11), (15) and (16)."* It appears that, this is the only incriminating circumstance which was there since the beginning, therefore, the learned counsel appearing for the applicant submits that after considering this fact, this Court has granted him liberty to apply after the C.A. report is received, and accordingly, he has applied for bail after the C.A. report is received.

8. However, considering the fact that there are no blood stains found on the clothes of the present applicant which could be gathered from the C.A. report, I am inclined to grant bail. Hence, the following order:-

ORDER

(i) The Criminal Application is **allowed;**

(ii) The applicant/accused (Vikas @ Vicky Rajkumar Kohare) be released on regular bail in connection with Crime No.27/2024 registered with Police Station Wathoda, District Nagpur, for the offence punishable under Sections 302, 34, 120(B) of the Indian Penal Code, 1860, (IPC), and Section 135 of the Maharashtra Police Act, 1951, on his furnishing a P.R. bond of Rs.25,000/- (Twenty Five Thousand Rupees) with one solvent surety 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 Police Station concerned and shall not change his place of residence without prior intimation to the Investigating Agency;

(v) The 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 entail the State to ask for cancellation of bail;

(vi) Pending Misc. Application(s), if any, also stand disposed of.

9. The observations of this Court are *prima facie* in nature. The Trial Court shall not be influenced by the observations of this Court and the observations are restricted to this bail application only.

[M.M. NERLIKAR, J]