



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

CRIMINAL APPLICATION [BA] NO. 1012 OF 2025.

Wasudeo Yesu Narote

-VERSUS-

The State of Maharashtra.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri M. Deo, Advocate for the Applicant.
Ms M. Deshmukh, A.P.P. for Non-applicant /State.

CORAM : M.M. NERLIKAR, J.

DATE : JANUARY 09, 2026.

Heard learned Counsel for the parties.

2. The present application is filed by the applicant under Section 483 of the Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail in connection with Crime No.7/2023 registered with Gadchiroli Police Station, for the offence punishable under Sections 302, 201, 504, 506 read with Section 34 of the Indian Penal Code. Charge sheet is filed, and therein apart from the aforesaid offences, the applicant is charged with offence punishable under Sections 143, 147 read with Section 149 of the Indian Penal Code.

3. The informant is wife of deceased Umesh Narote, who has lodged the report alleging that on 13.05.2023 at about 9 p.m. she along with her husband had gone to attend a meeting in relation to plucking of tendu leaves. In the said meeting several persons were present. After meeting, the police patil of the village Mahadeo Narote alleged that Umesh, husband of the informant had stolen the idol of village god, and started abusing him, which led to a quarrel. The applicant who was also accompanying the said police patil, assaulted the deceased by means of stone. Similarly other accused persons named in the first information report, also assaulted the deceased, using fist and kick blows, so also stick resulting into causing injuries, to which he succumbed on 14.05.2023. The informant was also restrained by the accused persons from approaching the Police Station.

4. The learned Counsel appearing for the applicant submits that the applicant is in jail from the date of his arrest i.e. 21.05.2023, meaning thereby he is in jail for almost 2 ½ years. Even if the allegations are taken as it is, custody of applicant would not be required, as the investigation is

complete and charge sheet is filed. He further submits that out of 10 accused persons, 7 are released on bail by this Court. Even the main accused, who is kingpin of the entire incident i.e. village Patil Mahadeo Narote, has been also released on bail by this Court vide order dated 01.08.2025. He therefore, prays that the present applicant also deserves to be released on bail.

5. On the other hand, the learned A.P.P. invited my attention to the entire allegations in the first information report to show that the petitioner is the main culprit, who has assaulted the deceased by stone on his head, which resulted into his death. She invites my attention to the post mortem report which also shows that the cause of death is due to head injury leading to intracranial hemorrhage leading to sudden death by asphyxia. She further submits that the informant herself is the only eye witness to the incident, and even she was threatened by the accused persons including the applicant, for approaching the police station. Lastly she submits that the applicant may not be enlarged on bail.

6. Upon consideration of rival submissions, certain

facts are not in dispute, which can be gathered from the first information report, that the present applicant has assaulted the deceased with the help of stone on his head. It is also not in dispute that the cause of death is due to head injury. However, the fact remains that the present applicant is in jail since 21.05.2023 i.e. for 2 ½ years. The investigation in the matter is over, and charge sheet is also filed. It further appears from the record that the act of applicant was not premeditated. It has happened in a spur of moment. Considering the above facts and circumstances, and also the fact that the main accused Mahadeo Narote has been granted bail, I am inclined to grant bail to the present applicant. Hence, the following order.

ORDER

- (i) Criminal Application is allowed and disposed of.
- (ii) The applicant /accused Wasudeo Yesu Narote be released on regular bail in connection with Crime No.7/2023 registered with Gadchiroli Police Station, for the offence punishable under Sections 302, 201, 504, 506, 143, 147, 149 read with Section 34 of the Indian Penal Code, on his furnishing P.R. Bond of Rs.50,000/- with two sureties in the like amount.

- (iii) The accused shall not enter within the territorial jurisdiction of Hadapeth, Tahsil Dhanora, District Gadchiroli till the completion of the trial.
- (iv) 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.
- (v) 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.
- (vi) 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.
- (vii) The above observations are prima facie in nature, and the trial Court shall not get itself influenced by the same while conducting the trial.

JUDGE