



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

**CRIMINAL APPLICATION (BA) NO.1108 OF 2025**

Pradip @ Pintu Govinda Kule

..vs..

State of Maharashtra

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

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Shri A.D. Bhate, Advocate for the applicant.  
Shri A.R. Chutke, APP for the State.  
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**CORAM: M.M. NERLIKAR, J.**  
**DATE : 19.01.2026.**

Heard the learned Counsel for the applicant and  
learned APP appearing for the State.

2. By way of this application, the applicant is seeking regular bail in connection with the Crime No.66 of 2025 registered on 12.03.2025 with the Dhamangaon Badhe police Station, Taluka Motala, District Buldhana for the offence punishable under Sections 103(1), 115(2), 189(2), 189(4), 190, 191(2), 191(3), 238 of the Bharatiya Nyaya Sanhita. The First Information Report is lodged by the brother of the deceased alleging that on 12.03.2025 the applicant attacked the deceased on the head with an iron rod, to which he succumbed.

3. It is the case of the applicant that the incident has taken place in a spur of moment, when there was a conversation between the applicant and the deceased. The deceased had instigated the applicant by saying that he will commit the same act, which was committed earlier, whenever the applicant goes to Pune. Initially, the deceased had molested the applicant's daughter, who

was six years of age, for which the FIR was registered against the deceased and he was in jail for some time and after release from the jail, the aforestated conversation took place between the applicant, which was the trigger point and the incident has taken place in the spur of moment. It is also submitted that he was not carrying the weapon, however the weapon i.e. iron rod was picked up from the spot itself, with the help of which the applicant had given single blow on the head of the deceased and further on the legs. He further submits that it is the applicant, who has surrendered before the police. There was no intention to kill the deceased and the incident has occurred due to the instigation of the deceased, and therefore, prayed to release the applicant on bail considering the peculiar facts and circumstances of the case.

4. On the other hand, the learned APP submits that the applicant has committed serious offence which is punishable under Section 103 of the BNS. The punishment is for imprisonment for life or death. There were injuries on the body of the deceased and also deceased has sustained fractured skull from the middle line. There are eyewitnesses to the said incident and also there was recovery of iron rod at the behest of the applicant, and therefore, *prima facie*, there is a strong case against the applicant and accordingly, prayed to reject the application.

5. Upon consideration of the rival submissions, it appears that the deceased had molested the daughter of the applicant, who was 6 years of age and FIR to that

effect has also been registered, for which the deceased was arrested and when the deceased was released from jail, the present incident took place due to the instigation by the deceased by giving threats of sexual assault to applicant's daughter again. The applicant due to said instigation inflicted single blow with the iron rod on the head of the applicant and further on the legs.

6. Considering these peculiar facts and circumstances of the case, and the fact that the investigation is complete and charge-sheet is filed, no further custody is required. Therefore, I am inclined to enlarge the applicant on bail. Hence, the following order :

- (a) The application is allowed and disposed of.
- (b) The applicant/accused Pradip @ Pintu Govinda Kule be released on regular bail in connection with Crime No.66 of 2025 registered on 12.03.2025 with Dhamangaon Badhe police Station, Taluka Motala, District Buldhana for the offence punishable under Sections 103(1), 115(2), 189(2), 189(4), 190, 191(2), 191(3), and 238 of the Bharatiya Nyaya Sanhita, on furnishing P.R. Bond of Rs.25,000/- with one surety in the like amount.
- (c) 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.
- (d) The applicant/accused shall not enter into the

vicinity of Dhamangaon Badhe, Taluka Motala,  
District Buldhana

- (e) 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.

7. All Misc. Applications pending if any, shall also disposed of accordingly.

**(M.M. NERLIKAR, J.)**

*Trupti*