



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

CRIMINAL APPLICATION [B.A.] NO. 1159 OF 2025

Vijay s/o Madhavrao Chinchpure

-- VERSUS --

The 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. S.V. Sirpurkar, Advocate for the Applicant.

Mr. V.A. Thakare, A.P.P. for the Non-applicant/State.

CORAM : M.M. NERLIKAR, J.

DATE : JANUARY 19, 2026.

Heard.

2. The present application is filed seeking regular bail in Crime No.193/2025 for the offence punishable under Sections 140(2), 140(3), 308(5), 309(4), 126(2), 351(2), 351(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023, (BNS), registered with Police Station Deulgaon Raja, District Buldhana.

3. The First Information Report is lodged by Dr. Jayesh Minase alleging that on 08/05/2025 he was intercepted by a black coloured Scorpio car bearing No. MH-21-CD-7888 near Ramane Complex, Deulgaon Raja by 3 unknown persons. He was forcibly taken inside the car wherein ransom amount of Rs.1 crore was made for his release. The informant

paid Rs.2 lakhs through a fund whereas Rs.98,000/- was paid through phone pay. They further took his mobile phone and cash of Rs.2,000/-. Somehow he rescued himself and lodged the report on 09/05/2025.

4. The learned counsel appearing for the applicant submits that this Court has already granted bail to two accused persons, namely, Rahul Laxman Watpal in Criminal Application [B.A.] No.1219/2025 and one Kiran Kailash Pandit in Criminal Application [B.A.] No.1104/2025. He further submits that though the present applicant was implicated in the crime, however, there is no material against him. Even the test identification parade was conducted after a month. The material in the nature of car which is shown to be owned by the present applicant is not belonging to the present applicant and the applicant is not the owner of the said car. He relies on the application filed by Rushikesh Sanjay Shirsat for release of vehicle. He further submits that there is no link or money trail which would show that the money has been received by the present applicant, and therefore, submits that there is weak evidence in the entire charge-sheet against the applicant, and therefore, considering the fact that this Court has granted bail to Rahul and Kiran, the present applicant

is also standing on the same footing, and therefore, he be granted bail.

5. On the other hand, the learned A.P.P. opposes the bail application on the ground that there is ample material against the applicant. He further submits that test identification parade was conducted and the informant identified the present applicant. During the course of investigation, it transpired that the vehicle, i.e., Scorpio which was used for commission of crime is belonging to the present applicant. The vehicle was purchased in the name of one Rushikesh Shirsath, however, the applicant is the owner of the said vehicle. He further submits that the applicant has committed similar type of offences. There are total 5 crimes which are registered against him, however, to this, the learned counsel appearing for the applicant submits that he was already acquitted in three offences, one crime is quashed and only one crime is pending. The learned A.P.P. further submits that considering the role played by the applicant, the applicant is the main accused, and therefore, the ground of parity cannot apply. Lastly, it is submitted that there is no merit in the application and the same deserves to be rejected.

6. Upon consideration of the rival submissions and after perusal of the charge-sheet, it appears that F.I.R. was registered by Dr. Jayesh

Minase. It is alleged that the present applicant and others have abducted Jayesh. He was forced to sit in the Scorpio car, and thereafter, he was taken to various places on that day. So far as the role of the present applicant is concerned, it was alleged that the present applicant was driving the vehicle. It further appears from the record that the present applicant was identified in the test identification parade. The statement of one of the witness namely, Rushikesh, depicts that Scorpio car belongs to present applicant, wherein, he has specifically stated that the said car was purchased by him in the name of Rushikesh as the Cibil score of the present applicant was not good. It further appears that in the entire episode of abduction, the accused persons have not only snatched Rs.2,000/-, but also snatched the mobile phone from the informant and from the phone pay, the accused persons have transferred Rs.98,000/-. Further, it could be gathered from the record that Rs.2,00,000/- was also extracted from the present applicant as Rs.2,00,000/- was handed over by the friend of the informant to one of the accused person. From this chronology, it could be gathered that the present applicant has played active role in commission of crime. The allegations are serious in nature, and the punishment provided is life imprisonment or death. There is more than enough material to connect the present applicant with the

said crime. It could be gathered that in the test identification parade, the present applicant was identified. It could also be gathered that the vehicle used in the commission of crime belongs to present applicant and it was seized at his behest along with two mobile phones. It is further to be noted that there are criminal antecedents against the applicant. No doubt, this Court has granted bail to Rahul only on the ground that the name of Rahul was taken by one of the accused. So far as the bail granted to Kiran is concerned, the test identification parade was not carried out. Therefore, the case of the present applicant and the persons to whom the bail was granted stands on different footing. So far as the present applicant is concerned as observed earlier, there is ample evidence against the present applicant. The offence was committed from 07:00 p.m. till the morning at 06:00 a.m. when the informant fled from the clutches of the accused persons. For the entire night, the informant was forced to sit in the car and the applicant has taken the informant from one place to another with other accused persons. It appears that the present applicant is the main accused who was driving the vehicle. Even the prosecution story is corroborated by the statements of informant and witnesses namely, Uday Tarachand Girniwale and Sagar Sudhakar Hiwade. It is further to be noted that there are other accused persons who are yet to be

arrested. Considering the above factual background and gravity of offence so also role played by the present applicant, I am not inclined to grant bail to the present applicant. Hence, the application is **rejected.**

PIYUSH MAHAJAN

[M.M. NERLIKAR, J]