

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

CRIMINAL APPLICATION (BA) NO.1180 OF 2025

Shrikrushna @ Litter Devidas Tale

..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

Shri S.V. Sirpurkar, Advocate for the applicant.
Ms P.C. Bawankule, APP for the State.

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.110
of 2024 registered on 30.04.2024 with the Sakharkheda
Police Station, District Buldhana for the offence
punishable under Sections 302, 307, 324, 504, 506 read
with Section 34 of the Indian Penal Code.

3. It is the case of the applicant that the incident
took place on 19.04.2024, whereas the FIR was
registered on 30.04.2024 i.e. 11 days after the date of
incident. So far as the injury on the head of deceased
Eknath is concerned, it was inflicted by Devidas by iron
rod. Pawan and Shrikurhsna (present applicant), who
are the sons of Devidas, were holding the hands of
Eknath while Devidas inflicted blow on the head of
Eknath. It appears that the applicant and other co-
accused have assaulted the victims on account of
disputed property. Learned Counsel appearing for the

applicant further submits that no role is attributed to the present applicant except holding hand of the deceased Eknath and assaulting another victim Hariram on his face with iron fighter. He further submits that perusal of the injury certificate of Hariram would disclose that there were two injuries and those are simple in nature. Also, there is no explanation for the delay in lodging the FIR and therefore, he prayed to grant the bail.

4. *Per contra*, learned APP appearing for the State relied on the FIR by submitting that, it is the present applicant, who has caught hold the hands of deceased Ekanth and his father has inflicted the blow on the head with the iron rod and further the applicant has inflicted blow on the face of the Hariram by iron fighter. She further submits that had it been a case that the present applicant was not holding the hands of the deceased, the deceased could have saved himself from those blows. In the said incident, the present applicant also caught hold the hands of Pandurang Tale due to which Pawan has inflicted the blows on the head of Pandurang. There are injured eyewitnesses to the said incident and there is ample evidence against present applicant, and therefore prayed to reject the application.

5. Upon careful perusal of the charge-sheet and after hearing both the learned Counsel, it appears that there was land dispute between two brothers i.e. Eknath and Devidas *inter se*. Pawan and Shrikrushna are the sons of Devidas. Devidas was insisting the deceased to handover four gunthas of land and on that count, the dispute arose. Admittedly, the role played by the present

applicant was that he was holding the hands of deceased Eknath and Pandurang. So also he has inflicted blow on the face of Hariram by iron fighter. Apparently, incident took place on 19.04.2024, however FIR was registered on 30.04.2024 i.e. after 11 days of the incident. There is no explanation for the delay in the FIR. It appears that medical certificate (MLC) was given on the same day, however, the injured persons were not in a position to give the statement. No doubt, there are injured eyewitnesses to the said incident, however the role of the present applicant can be separated as of holding the hands of deceased and Pandurang, while the co-accused inflicted blows on them. After perusal of the injury certificate of Hariram, wherein the allegations are that the present applicant has inflicted blow on his face by iron fighter, it appears that the injury was simple in nature. No doubt vital role has been played by the present applicant. However considering the fact that the applicant was arrested on 07.05.2024, and the investigation is complete and charge -sheet is filed, no further interrogation is required, 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 Shrikrushna @ Litter Devidas Tale be released on regular bail in connection with Crime No.110 of 2024 registered on 30.04.2024 with the Sakharkheda Police Station, District Buldhana for the offence punishable under Sections 302, 307, 324, 504, 506 read with Section 34 of the Indian Penal

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

(M.M. NERLIKAR, J.)

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