

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

CRIMINAL APPLICATION NO. 1182 OF 2025

Dnyaneshwar s/o Bhaskar Kale

..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.
 Mrs M.H. Deshmukh, APP for the non-applicant/State.

CORAM: M.M. NERLIKAR, J.

DATE : 09.02.2026.

Heard.

2. By way of this application, the applicant is seeking bail in connection with Crime No.51 of 2024 registered with Tamgaon Police Station, District Buldana for the offence punishable under Sections 302, 120B read with Section 34 of the Indian Penal Code.

3. The FIR has been lodged by the brother of the deceased alleging that there was previous dispute between the present applicant, co-accused and the deceased. It is alleged that on 02.02.2024 the deceased was threatened by the present applicant, however the deceased rescued himself, and thereafter on 26.02.2024 his dead body was found on the road side near the field of Sadashiv Wankhede with the head injury. On the basis of which, the FIR has been registered against the present applicant.

4. The applicant previously approached this Court by filing Criminal Application No.538 of 2025 for grant of bail. This Court passed the following order :

“1. The application for grant of bail.

2. Heard learned Counsel for the applicant to some extent. Perused the investigation papers and I have shown my disinclination to grant bail. Hence, learned Counsel for the applicant seeks permission to withdraw the application with liberty file after the CA report is received.

3. Application is disposed of as withdrawn with liberty to file the application after the CA report is received.”

5. Now, Chemical Analyser report is received wherein it is stated that no blood was detected on the clothes (Exhibits 24 and 25, which are at Serial Nos.16 and 17), which were seized. Therefore, it appears that, merely on the basis of suspicion and as there was previous enmity between the parties, the present applicant has been implicated in the crime. It further appears that the present applicant was seen going towards the field of the deceased, however, deceased was not seen in his company and therefore, it is very difficult to connect the present applicant with the alleged incident.

6. Considering the above facts and circumstances coupled with the fact that the applicant is behind the bar since 27.02.2024 and further the investigation is complete and charge-sheet has been filed, I am inclined to enlarge the applicant on bail. Hence, the following order :

(a) The application is allowed.

(b) The applicant/accused Dnyaneshwar s/o Bhaskar

Kale in connection with Crime No.51 of 2024 registered with Tamgaon Police Station, District Buldana be released on bail on furnishing P.R. bond of Rs.50,000/- with one or two sureties in the like amount

- (c) 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.
- (d) 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.
- (e) The applicant/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.

7. The observation of this Court are *prima facie* in nature and the Trial Court shall not be influenced by the same.

8. All Misc. Application(s), pending if any, shall also stands disposed of accordingly.

(M.M. NERLIKAR, J.)

