



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

CRIMINAL APPLICATION [B.A.] NO. 1242 OF 2025

Umesh S/o. Maroti Sonkusare

-- 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. C.R. Thakur, Advocate for the Applicant.

Ms. M.A. Barabde, A.P.P. for the Non-applicant/State.

CORAM : M.M. NERLIKAR, J.

DATE : JANUARY 07, 2026.

Heard the learned counsel for the
applicant and the learned A.P.P

2. The present application is filed under
Section 483 of the Bharatiya Nagarik Suraksha
Sanhita, 2023, (BNSS) for grant of regular bail. The
accused was arrested on 25/04/2025 by Police
Station, Kotwali, District Nagpur, in Crime No.
123/2025 for the offence punishable under Section
103(1), (3)(5) of the Bharatiya Nyaya Sanhita, 2023
(BNS).

3. The informant Smt. Kaushalyabai
Dupare, who is the mother of the deceased, has
alleged that one month before the incident a dispute
arose between the deceased-Nitesh and Vicky who
used to reside in their neighborhood. On the date of

incident, i.e., 24/04/2025, she was informed by her acquaintances that her son was lying injured on the Nag River bridge. Upon receiving the said information, Sarika, her daughter, rushed to the bridge where she found her brother injured with injuries on his chest, neck, stomach, head and other parts of his body. Sarika informed about the same to her mother who both rushed to the spot where police had already arrived. Thereafter, her son was taken to the hospital by the police officer, however, there he passed away. Based on the aforesaid information F.I.R. came to be registered.

4. The First Information Report does not disclose the name of the present applicant. It just disclosed the name of Vivek Satpute and Yash Gosvami. During investigation it transpired that the present applicant has thrown Chilly Powder in the eyes of the deceased.

5. After perusal of the entire charge-sheet, it appears that the main role is attributed to accused (Vivek), however, insofar as the present applicant is concerned, except the presence marked at the spot, nothing incriminating was found against him. Further, there is no material to show that the applicant has thrown chilly powder in the eyes of deceased.

6. Considering the above facts and circumstances, and further as the charge-sheet is already filed on 22/07/2025, and the applicant is in jail since 25/04/2025, I am inclined to grant bail. Hence, the following order:-

ORDER

- (i) The Criminal Application is **allowed**;
- (ii) The applicant be released on bail in Crime No. 123/2025 for an offence punishable under Section 103(1) and (3)(5) of BNS, 2023, on furnishing a PR. bond of Rs.25,000/- with one surety in the like amount;
- (iii) The applicant shall not tamper with the evidence and shall not enter into the jurisdiction of the Kotwali Police Station, Nagpur;
- (iv) The applicant shall attend the trial regularly, and two defaults would entail the State to apply for cancellation of bail.

[M.M. NERLIKAR, J]