



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

CRIMINAL APPLICATION [BA] NO. 1253 OF 2025.

Mangesh Vishnuji Uike

-VERSUS-

The State of Maharashtra

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Ms F. Pathan, Advocate for the Appellant.

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

CORAM : M.M. NERLIKAR, J.

DATE : JANUARY 12, 2026.

Heard learned Counsel for the parties.

2. The present application is filed by the applicant under Section 483 of the Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail in connection with Crime No.270/2024 registered with Hingna Police Station, District Nagpur for the offence punishable under Section 302 of the Indian Penal Code. Charge sheet in the matter is filed, and apart from aforesaid Sections, the applicant is also charged with Sections 120[B], 201 read with Section 34 of the Indian Penal Code, Sections 4 and 25 of the Arms Act and Section 135 of

the Maharashtra Police Act.

3. The informant who is wife of the deceased has lodged a report stating that her husband was an auto-driver. On 13.06.2024 at about 7.30 a.m., the deceased had been to Butibori by his two wheeler, and when he did not return back till 9 p.m., her daughter called the deceased on his mobile phone, but, his phone was switched off. At 9.15 p.m. neighbour of the deceased informed the informant that her husband is lying in injured condition on Samrudhi Mahamarg. When the informant reached there she found that her husband was lying injured and his two wheeler was lying by side of the road. The injured was taken to hospital, where the injured was declared dead. On the basis of this information, first information was lodged, investigation was carried out and charge sheet is filed. Applicant/accused came to be arrested on 16.06.2024.

4. The learned Counsel submits that the applicant is residing nearby where the dead body was found. He being labour, used to pass through the spot of incident everyday, therefore the CDR and SDR location showing his presence on

the spot of incident is natural. She further submits that even if it is accepted that Oppo Mobile Phone was recovered from the applicant, which is belonging to the deceased, only this circumstance cannot connect the applicant with the alleged offence of murder, and at this stage the same cannot be looked into.

5. The learned A.P.P. has invited my attention to the CDR, wherein location of the present applicant is shown at the spot where the deceased was lying. She further submits that the mobile of the deceased was also recovered from the present applicant, and therefore, the applicant is involved in the serious crime of murder and prayed for rejection of bail.

6. From the rival contentions it appears to me that prima facie the material collected by the investigating officer is not sufficient. The learned Counsel for the applicant has pointed that the applicant used to take the said route everyday. In absence of any other evidence, only recovery of mobile phone from the applicant is not sufficient. Considering the above facts and circumstances that investigation is complete and charge sheet is filed, I am inclined to grant bail to the

applicant. Hence, the following order.

ORDER

- (i) Criminal Application is allowed and disposed of.
- (ii) The applicant /accused Mangesh Vishnuji Uike be released on regular bail in connection with Crime No.270/2024 registered with Hingna Police Station, District Nagpur for the offence punishable under Sections 302 120[B], 201 read with Section 34 of the Indian Penal Code, Sections 4 and 25 of the Arms Act and Section 135 of the Maharashtra Police Act, on his furnishing P.R. Bond of Rs.25,000/- with one surety in the like amount.
- (iii) The accused shall not enter within the territorial jurisdiction where the deceased or informant is residing, till the completion of the trial.
- (iv) 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.
- (v) 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.

- (vi) 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.
- (vii) The above observations are prima facie in nature, and restricted for the purpose of deciding this application. The Trial Court shall not get itself influenced by said observations, during the course of trial.

JUDGE