



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

CRIMINAL APPLICATION [B.A.] NO. 1343 OF 2025

Gajanan Sahebrao Rele

-- 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. V.B. Bhise, Advocate for the Applicant.

Mr. A.M.Kadukar, 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 seeking regular bail in Crime No.172/2025 for the offence punishable under Section 103(1) of the Bharatiya Nyaya Sanhita, 2023 (BNS).

3. The dead body of the deceased Raman Chandak was found at a under construction house, lying in the pool of blood, and accordingly, the informant, Sandip Kirankumar Chandak, who is the nephew of the deceased has lodged the First Information Report alleging that as there were transactions between the deceased and the applicant due to which he has every suspicion that applicant has killed the deceased on 07/04/2025. Based on

these allegations, the F.I.R. came to be registered on 08/04/2025, and accordingly, the applicant was arrested on the same day. After completion of the investigation, charge-sheet was filed on 27/06/2025.

4. The learned counsel appearing for the applicant submits that except suspicion, there is no other evidence in the charge-sheet. The only incriminating circumstance against the applicant is that the deceased was last seen in the company of accused on 07/04/2025, and therefore, except this circumstance, there is no other evidence.

5. On the other hand, the learned A.P.P. vehemently submits that the applicant is having every motive to kill the deceased, as there were transactions between the deceased and the applicant. The deceased was to recover the amount from the applicant, and therefore, he had every motive to kill the deceased. He further submits that big stone was recovered from the spot with blood stains, and therefore, there is a strong *prima facie* case against the applicant, and he does not deserves to be enlarged on bail.

6. After considering the rival submissions and after going through the entire charge-sheet, it appears to me that the F.I.R. was registered by the informant, Sandip Kirankumar Chandak, who is the nephew of the deceased, on the basis of the

suspicion, due to financial transactions between the present applicant and the deceased. It further appears that except last seen theory there is nothing on record to connect the present applicant with the alleged crime. It is a settled law that motive however strong, cannot take place of direct proof. Even the chain of circumstances is not completed so as to point towards the present applicant. Therefore, considering the fact that the charge-sheet was filed on 27/06/2025 and the applicant is in jail since 08/04/2025, I am inclined to grant bail to the present applicant.

7. The observations of this Court are *prima facie* in nature. The Trial Court shall not be influenced by the observations of this Court and the observations are restricted to this bail application only. In this view of the matter, following order is passed:-

ORDER

(i) The Criminal Application is **allowed**;

(ii) The applicant be released on bail in connection with Crime No.172/2025 registered at Police Station, Akot, District Akola, for the offences punishable under Section 103(1), of the Bharatiya Nyaya Sanhita, 2023, on furnishing a P.R. bond of Rs.25,000/- with one surety in the like amount;

(iii) The applicant shall not tamper with the evidence or threaten or influence prosecution witnesses in any way. Further the applicant shall also not contact any of the witnesses;

(iv) The applicant shall co-operate in the trial and shall attend the trial regularly, and two defaults would entail the State to apply for cancellation of bail.

[M.M. NERLIKAR, J]

PIYUSH MAHAJAN