



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

**CRIMINAL APPLICATION [B.A.] NO. 1369 OF 2025**

Ramnarayan S/o. Digambar Chavhan

-- VERSUS --

The State of Maharashtra

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's Orders.

Court's or Judge's orders.

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Mr. M.S. Dube, Advocate for the Applicant.

Mr. A.M. Joshi, 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. This is an application for grant of regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, (BNSS) in Crime No.441/2025 for the offence punishable under Sections 109, 324(4), 3(5) of the Bharatiya Nyaya Sanhita, 2023, (BNS).

3. The father of the victim, namely, Vishnu Vithoba Ravane, registered First Information Report alleging that the applicant has driven vehicle on the person namely, Amol Ravane on 12/07/2025. Based on these allegations, the F.I.R. was registered on 15/07/2025. Thereafter, investigation was carried out and during investigation on 02/09/2025,

statement of victim namely, Amol Ravane was recorded. It also appears that during the investigation, the statements under Section 183 of the BNSS were also recorded.

4. The learned counsel appearing for the applicant submits that the quarrel was initiated at the behest of the victim. He has invited my attention to the statement recorded by the Police under Section 180 BNSS on 02/09/2025 of Amol Ravane, who is the victim, wherein he has specifically stated that on 12/07/2025 at about 02:45 p.m., Amol (victim), along with his friends, Sachin, Sagar and Shravan went for lunch at hotel Annadata. There was another group of 5-6 persons who were sitting opposite to them. A scuffle arose between the groups on account of Amol talking loudly. However, the other group of the present applicant, left the said table and sat on the other side of the hotel. It further appears that when Amol went to the side of the other group, again there was a scuffle. The victim informed about the recent fight to Sachin who went to the other group where Ramnarayan who is the present applicant used filthy language against them, and therefore, Sachin slapped Gajanan who was a part of the other group, and both the groups started fighting against each other. After hearing hue and cry, Amol's friend came and at that time Gajanan took out mobile phone from

the pocket of shirt of Amol and broke that phone. Again, on that count, they started fighting. Amol's group insisted the other group to pay the amount of mobile phone and they did not allow the other group to leave the hotel. However, Ramnarayan, who is the present applicant, went to his car, at that time, the entire group including Amol followed him and insisted to pay the amount of mobile phone. It seems Ramnarayan was not ready to pay and as he was not permitted to leave he drove the car on the group of Amol, wherein Amol was injured. It was further submitted that though there are criminal antecedents against the applicant, however, the Competent Court has already granted bail considering the role attributed to him, he was falsely implicated in those crimes.

5. The learned counsel appearing for the applicant submits that there was no intention of the applicant to drive the car over the persons. It is only after pelting of the stone on the car he was compelled to drive the car, however, Amol and others were standing in front of car, and therefore, it is Amol's group who has initiated the assault and tried to restrain the group of applicant from leaving. He has invited my attention to statement recorded under Section 183 of BNSS of one Muktarshah, wherein it is specifically stated that from the group of Amol

someone had pelted stone on the car of Ramnarayan, i.e., applicant, and therefore, in self-defense applicant was required to drive the car. Therefore, he submits that as there was no intention to commit offence, therefore, Section 109 of BNS, i.e., attempt to murder would not attract.

6. On the contrary, learned A.P.P. by relying on the reply filed by him has specifically stated that the applicant is having criminal antecedents, and as many as 6 cases are registered against the applicant. Out of these 6 cases, 4 cases are registered under the Indian Penal Code and that too under serious sections. So far as the present offence is concerned, there is sufficient evidence against the applicant in order to hold that the applicant has committed offence under Section 109 of BNS. He has also invited my attention to the various statements recorded by the Investigating Officer, wherein it is specifically stated that present applicant has driven car on the person of group of Amol. He further submits that injured was dragged by the applicant for about 100 meters without stopping the car which can be gathered from the C.C.T.V. footage and the defence of the accused that someone has pelted stone on his car, and therefore, he has driven the car cannot be accepted at this stage as it is a matter of appreciation of evidence. Lastly, it was submitted that there is no

merit in the application and the same deserves to be rejected.

7. Upon considering the rival submissions, it is not in dispute that the information was given by the father of the victim on 14/07/2025 in the night and upon that information, the F.I.R. came to be registered on 15/07/2025. Admittedly, the incident is of 12/07/2025. It could be gathered from the charge-sheet which was filed on 16/10/2025, that the applicant was arrested on 28/07/2025. However, till today the charge is not framed. Further, it could be gathered from the entire material which was placed on record and importantly the statement of Amol Ravane (injured) that the trigger point was the conduct of Amol's group who insisted the other group to pay the amount of mobile phone and they restrained them from going further. It could further be gathered that it is the group of Amol who stood before the car. Even from the statement of Muktarshah it can be seen that from the group of Amol someone pelted stone on the car which resulted the applicant into rushing his car on the group of Amol. All these facts goes to show that the act was on the instigation of the victim's group. However, other statements which are recorded are in consonance with the statement of Amol. The fact remains that even Amol's group did not move to the side and they

were stubbornly standing in front of his car. So far as the argument regarding criminal antecedents against the applicant is concerned, it is not in dispute that the applicant is already enlarged on bail in those crimes. Therefore, considering the above facts and circumstances and the fact that the accused was arrested on 28/07/2025 and charge-sheet is filed, so also till today no charge is framed, I am inclined to grant bail.

8. 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.441/2025 registered at Police Station, Mehkar, District Buldhana, for the offences punishable under Sections 109, 324(4) and 3(5) of the Bharatiya Nyaya Sanhita, 2023, on furnishing a PR. bond of Rs.25,000/- with one surety in the like amount;

(iii) The applicant shall not tamper with evidence or influence the prosecution witnesses in any way;

(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