



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

CRIMINAL APPLICATION [B.A.] NO. 1373 OF 2025

Vijay @ Ajay Kondira Suryavnshi

-- VERSUS --

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. Atharva C. Khadse, Advocate for the Applicant.

Mr. A.G. Mate, A.P.P. for the Non-applicant/State.

CORAM : M.M. NERLIKAR, J.

DATE : FEBRUARY 05, 2026.

Heard.

2. The present application is filed seeking regular bail in Crime No.116/2024 for the offence punishable under Sections 302, 143, 147, 148, 149, 120(B) and 201 read with Section 34 of the Indian Penal Code, 1860, (IPC), registered with Police Station Rajapeth, District Amravati.

3. The First Information Report was lodged on 21/02/2024, by the informant Pawan Balkrushna Kohale stating that his elder brother, Ganesh Balkrushna Kohale, is a mechanic and had previous enmity with Shailesh alias Pintu Chavan and his associates from Chavre Nagar. On 20/02/2024, at about 7:30 PM, Ganesh left home to go on a walk. At about 9:00 PM, near Chavre Nagar square, the

accused Shailesh Chavan, Rohit Askar, Atharva Chavan, and their associates started a quarrel with Ganesh due to old enmity. Fearing for his life, Ganesh ran towards Nandanvan Colony, but the accused chased him. Ganesh entered a nearby house to save himself, however, the accused also entered the house and assaulted him by inflicting injuries on his neck, hands, legs, and other parts of his body with a sharp weapon like a knife and also hit his head with a cement brick, with an intention to kill Ganesh.

4. The learned counsel appearing for the applicant submits that his name does not appear in the F.I.R. Even his name does not appear in the statements of some of eye witnesses, however, some eye witnesses had named him. He further submits that in the C.C.T.V. footage, which was obtained from the spot of incident, even in that C.C.T.V. footage, he was not seen. Therefore, he submits that even if the role of the present applicant is considered, it appears that, he was standing outside the house along with other accused persons. He further submits that similarly placed accused, namely, Shreyas Sunil Methe, has been granted bail by the Additional Sessions Judge, Amravati, and therefore, he submits that present applicant be also granted bail.

5. The learned A.P.P. vehemently opposes the application and submits that the murder was

committed in a brutal manner. The injuries are inflicted with the help of knife as well as with the help of bricks. He further submits that the statement of one of the witness - Manda goes to show that the present applicant was part and parcel of the unlawful assembly though there is no specific overt act attributed to the present applicant. He further submits that considering the gravity of the offence, the present applicant is not entitled for bail.

6. I have heard both the learned counsel for the applicant and the learned A.P.P. It appears that the present applicant was arrested on 21/02/2024. It further appears that his name does not appear in the F.I.R., however, after perusal of the statement of the eyewitnesses, the name of applicant is not mentioned, except Manda, wherein she had named the applicant, however, even in her statement also there is no overt act attributed to the present applicant. Considering the fact that the present applicant is in jail since 21/02/2024, and the fact that investigation is complete and the charge-sheet is filed, I am inclined to grant bail by imposing terms and conditions. Hence, the following order:-

ORDER

(i) The Criminal Application is
allowed;

(ii) The applicant/accused (Vijay @ Ajay Kondira Suryavnshi) be released on regular bail in connection with Crime No.116/2024 registered with Police Station Rajapeth, District Amravati, for the offence punishable under Sections 302, 143, 147, 148, 149, 120(B) and 201 read with Section 34 of the Indian Penal Code, 1860, (IPC), on his furnishing a PR. bond of Rs.25,000/- (Twenty Five Thousand Rupees) with one solvent surety in the like amount;

(iii) 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;

(iv) 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;

(v) 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;

(vi) Pending Misc. Application(s), if any, also stand disposed of.

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.

[M.M. NERLIKAR, J]

PIYUSH MAHAJAN